

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19148 of 2016

Arising Out of PS.Case No. -48 Year- 2015 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

1. Munni Devi Wife of Amod Rai Resident of village Sonepur Gola, P.S.
Sonepur, District Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 12-05-2016

Heard learned counsel appearing on behalf of the
petitioner and learned Addl. Public Prosecutor, appearing on behalf of
the State.

This application for grant of anticipatory bail arises out of
Rajapakar P.S. Case No. 48 of 2015, disclosing offences under Sections
366(A), 376 and 120(B) of the Indian Penal Code and Section 4/6 of the
POCSO Act.

The petitioner is mother of the complainant and it is
alleged that the petitioner deserted her husband, the father of the
complainant, as she was having amorous relationship with someone
else. It has been alleged that the petitioner thereafter sold the
complainant, a minor and her brother to co-accused Niraj Sinha in
collusion with co-accused Kalu Rai and was subjected to sexual assault.
Some how or the other getting an opportunity the complainant ran away
and came to the house of his father to whom she narrated the entire

story.

Learned counsel for the petitioner has submitted that the complainant has been set up by ex husband of the petitioner for lodging a false criminal case. It has further been submitted that there is no likelihood that petitioner shall flee from the course investigation or the trial if she is granted anticipatory bail.

Considering the fact of the petitioner is a lady and the background in which the case, has been instituted this application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-cum-District and Sessions Judge 1st, Hajipur, Vaishali, Rajapakar P.S. Case No. 48 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutives occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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