

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12427 of 2017

Arising Out of PS.Case No. -141 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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1. Roji Khatoon @ Rojida Khatoon Wife of Md. Rajjo @Md. Rijwan,
Resident of Village- Jogama, ward No. 9, Police Station- Murliganj,
District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2017 Heard the parties.

This application has been filed in connection with Murliganj
P.S.case No.141 of 2016 dated 16.05.2016 for the offence under
Sections 376 and 120(B)/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that though there
is allegation against the petitioner that she has taken the victim
along with her and provided her '*Rasogulla*' and thereafter, she
left her to go with other accused persons, who committed rape
upon her and left her. It is further submitted that the present case
has been filed with the counter blast as earlier a case was filed by
the petitioner against the '*Bhainsur*' of the informant. Further, it
has been submitted that there is inordinate delay in lodging the
F.I.R., which also shows that the present case has been filed after a
thought and the petitioner being a lady is in custody for about four
months.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, no doubt there is allegation against the petitioner of being conspirator but she is a lady and remained in custody for about four months and also the fact that there is a case and counter case.

Considering the aforesaid facts, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.D.J. Ist -cum- POCSO Act, Madhepura in connection with Murliganj P.S.case No.141 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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