

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36461 of 2017**

Arising Out of PS.Case No. -59 Year- 2017 Thana -BARAULI District- GOPALGANJ

=====

Farida Khatun W/o Md. Alam, R/o Village- Sareya Narendra, P.S.- Barauli  
(Madhopur O.P.), District- Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      01-09-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
24.04.2017 in connection with Barauli (Madhopur O.P.) P.S. Case  
No. 59 of 2017, G.R. No. 1335 of 2017 registered for the offence  
punishable under Sections 431, 342, 323, 326, 354(B), 307, 376,  
511 and 506/34 of the Indian Penal Code and Sections 8 and 12 of  
the POCSO Act, 2012.

The prosecution case is, as lodged by the victim girl,  
Puja Kumari, aged 15 years, is that while she was alone in the  
house and her father had gone abroad for earning his livelihood,  
her neighbour, Farida Khatun (petitioner) along with co-accused



Khurshid Alam came and asked her to do unnatural act with Khurshid Alam. On objection, she has been dragged to the house of the petitioner and co-accused Khurshid Alam forcibly tried to commit rape. On further objection, kerosene oil has been poured on the body of the victim girl and she has been assaulted with heated iron rod.

It has been submitted by the learned counsel for the petitioner that she is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that injury report specifies the injuries to be simple in nature and that both are neighbours and because of some land dispute, she has been falsely implicated. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the victim girl in her statement under Section 164 of the Cr.P.C. has supported the prosecution case.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1<sup>st</sup> –cum- Special Judge, Gopalganj in connection with Barauli (Madhopur O.P.) P.S. Case No. 59 of 2017, G.R. No. 1335 of 2017, subject to the condition that both the bailors would be close relative of the petitioner.

**(Nilu Agrawal, J.)**

Arjun/-

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