

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42349 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. MUSMAT DULARI DEVI @ MUSMAT DULARI W/o Late Baleshwar
Mahto, R/o Village- Maguraha, P.S.- Gounaha, District- West Champaran
at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-09-2017

Heard the parties.

The petitioner seeks regular bail in connection with
Gounaha P.S.Case No.51 of 2017 , registered for offences
punishable under Sections 376, 315, 511 and 34 of the Indian
Penal Code and Section 4 of POSCO Act.

Allegation against the petitioner, as per FIR, is that
one co-accused Durgesh Kumar made physical relation with the
informant with assurance of marrying with her and when she
became pregnant, there is allegation against the petitioner and
other co-accused persons of giving her tablet for miscarriaging her
pregnancy.

Submission of the learned counsel for the petitioner is



that the aforesaid allegation against the petitioner is false and concocted, which will appear from her statement recorded under Section 164 of Cr.P.C. The petitioner is in custody since 6.6.2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st, Bettiah in connection with Gounaha P.S.Case No.51 of 2017.

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 disposal of trial and make herself available as and when required by the court. In the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine reason, her bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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