

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20518 of 2017

Arising Out of PS.Case No. -273 Year- 2015 Thana -MINAPUR District- MUZAFFARPUR

=====

Musarat @ Musarat Khatoon Wife of Md. Kais Resident of Village
Makrandpur, P.S. Gaighat, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasadd., APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 23-06-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
19.03.2017 in connection with Minapur P.S. Case No. 273 of
2015 registered for the offence punishable under Section
366(A) of the Indian Penal Code. Subsequently, sections
376, 109 of the Indian Penal Code and Sections 4, 6, 17 of
the POCSO Act has been added.

The prosecution case, as lodged by the father of
the victim girl, Bina Kumari, is that she had gone to
purchase books and did not return. On search, it was found
that the victim girl had gone with the petitioner and other
accused persons.

It has been submitted by the learned counsel for



the petitioner that she is innocent and has been falsely implicated in the aforesaid case only on the basis of suspicion. He further submits that all the other accused persons have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 49706 of 2015 and other analogous cases on 04.12.2015. It is further submitted that the petitioner is in advanced stage of pregnancy, hence, a sympathetic consideration may be taken. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

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 Special Judge, POCSO Act, Muzaffarpur in connection with Minapur P.S. Case No. 273 of 2015, subject to the condition that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each



and every date during trial and failure to appear on two consecutive dates without assigning any reason will entail cancellation of her bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

