

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9325 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -KHIRHAR District- MADHUBANI

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Dano Devi @ Sunaina Devi, Wife of Yogeshwar Sah, Resident of
Village/Mohalla- Shemhli,P.S. Khirhar, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Babita Kumari, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Khirhar P.S.

Case No. 45 of 2016 instituted for the offence under Sections 376,
420, 120B of the Indian Penal Code and Section 4 of POCSO Act.

It has been submitted on behalf of the petitioner that
she is mousi of co-accused Sundar Sah. Co-accused Sunder Sah
used to establish physical relationship with daughter of the
informant aged about 14 years. The petitioner used to call the
daughter of the informant and helped accused Sunder Sah in
establishing physical relationship with daughter of the informant
on the promise to marry with him.

It has been submitted on behalf of the petitioner that
the main allegation is against Snnder Sah, who, as per the written



report, established physical relationship with daughter of the informant for one year and, thereafter, she became pregnant. The case has been instituted after much delay.

From the written report itself, it appears that there is no allegation of specific overt act against the petitioner.

Considering the facts and circumstances of the case as also that the petitioner being a lady, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Khirhar P.S. Case No. 45 of 2016, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Madhubani, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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