

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58017 of 2018

Arising Out of PS. Case No.-87 Year-2017 Thana- MAHILA PS District- Jehanabad

Priya Kumari Daughter of Kanhai Prasad @ Kanhaiya Prasad resident of
Mohalla - Pathak Tola, Jehanabad, Police Station - Jehanabad in the district of
Jehanabad ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar, Adv.
For the Opposite Party : Smt. Sahin Begam. APP 134

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 03-10-2018 Heard the learned counsel for the petitioner

and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 26.05.2018 in connection with Jehanabad Mahila P.S. Case No. 87 of 2017 for offences alleged under Sections 376, 354 (C) and 120(B) of the Indian Penal Code and 4 of the Protection of Children from Sexual Offences Act.

The prosecution case, as lodged by the informant, namely, Pinki Kumari, aged 17 years, is that she used to attend coaching classes along with a friend, the petitioner. On 08.11.2017, after coaching classes, the petitioner took her on the pretext to go to market where co-accused, Gautam Kumar, took her into a room of a guest house, committed rape on her and took video



recording.

It has been submitted by the learned counsel for the petitioner that she is innocent, herself is a minor and has been falsely implicated in the aforesaid case. He submits that the victim-girl had herself gone with the co-accused, Gautam Kumar, to Hajipur and has falsely implicated her. He submits that the petitioner is herself a student and her whole career would be jeopardized against such false and fabricated allegations. He submits that the charge sheet has also been submitted and there is no allegation of tampering of prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the fact that the petitioner is a minor girl, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Jehanabad



Mahila P.S. Case No. 87 of 2017 to the satisfaction of the learned Additional Sessions Judge, I, Jehanabad, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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