

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62174 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MAHILA PS District- KHAGARIA

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Sita Devi W/o Late Harinarayan Mandal, R/o Village- Chhoti Chak, P.S.-
Gogari, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Khagaria Mahila PS case no. 30 of 2017 registered for the
offences punishable under Sections 376, 313/34 of Indian Penal
Code and 3/4 of Pocso Act.

The case of the prosecution in brief is that as per the
FIR, the victim girl, who is a minor, was kept by one of the
accused persons, namely, Munna Kumar Yadav and subsequently,
when she became pregnant, her pregnancy was forcibly aborted.

The learned counsel for the petitioner submits that
the petitioner is an old lady of about 65 years and she is not
working in any Hospital or Nursing Home. It is further submitted



that the name of the petitioner also does not find place in the FIR and moreover, the victim girl in her statement under Section 164 of the Cr. P.C. has not named the petitioner herein.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Khagaria in connection with Khagaria Mahila PS case no. 30 of 2017, subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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