

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58844 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- CHAKIA District- East Champaran

Kunti Devi, Wife of Ramakant Sahani @ Vijay Sahani, Resident of Village-
Bara Baishaha, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Chakia P.S. Case No. 123 of 2018 registered for the offences punishable under Sections 376(2G) and 120B of the Indian Penal Code and under Section 6/8 of POCSO Act.

Informant who is the victim girl has stated that when she was sleeping with her friend Mintu Kumari when Kunti Devi (petitioner) came there and took her to attend the natural call and in the way four persons stopped them and two of them committed rape with her, meanwhile petitioner left the victim girl and fled away.

It has been submitted on behalf of the petitioner that she is innocent and has committed no offence. She has been



falsely implicated in this case due to village rivalry. There is no overt act against the petitioner. The occurrence is said to be of 10.06.2018 and FIR was instituted on 14.06.2018. The informant in her FIR herself has stated that all evidence of rape has been destroyed. Specific allegation against co-accused Chandan and Pintu of committing rape upon the victim girl. She has no criminal antecedent and she is in custody since 15.06.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon 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-cum-Special Judge, Motihari, East Champaran in connection with Chakia P.S. Case No. 123 of 2018.

(S. Kumar, J)

Rajiv/Manoj-

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