

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69282 of 2018

Arising Out of PS. Case No.-383 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

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1. Chandra Rekha Devi W/o Ram Kishore Mahto, resident of Village- Prem Nagar.
 2. Sikali Devi W/o Jitan Mahto,
 3. Manoj Kumar S/o Jitendra Mahto, Both resident of Village- Manik Chawk, All P.S.- Runnisaidpur and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Runnisaidpur P.S. Case No. 383 of 2018 dated 03.07.2018 instituted for the offences under Sections 376, 313/34 of the Indian Penal Code.

The prosecutrix has alleged that one Akhilesh Kumar, on the promise of marrying her, had been subjecting her to sexual intercourse for a long time. She once became pregnant and when she insisted aforesaid Akhilesh Kumar for marrying her, the petitioners and



Akhilesh Kumar are stated to have taken her to a Nursing Home and facilitated her abortion.

The learned counsel for the petitioners has submitted that petitioner No. 1 is the mother of aforesaid Akhilesh Kumar whereas petitioner No. 2 is a neighbour. Petitioner No. 3 is the maternal uncle of aforesaid Akhilesh Kumar. There is nothing in the F.I.R to indicate that the relationship of the prosecutrix with the aforesaid Akhilesh Kumar was known to the petitioners. Even if the allegations in the F.I.R are accepted to be true, there still remains a possibility that the petitioners, two of whom are women, only tried to help the lady in distress unless it can be shown that the petitioners knew that because of illicit action of Akhilesh Kumar, the prosecutrix had become pregnant.

Regard being had to the aforesaid facts, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(ten



thousands) each with two sureties of the like amount
each to the satisfaction of learned Chief Judicial
Magistrate, Sitamarhi in connection with Runnisaipur
P.S. Case No. 383 of 2018, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

Shageer/-

(Ashutosh Kumar, J)

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