

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13734 of 2019

Arising Out of PS. Case No.-62 Year-2016 Thana- BHAIKAVSHTHAN District- Madhubani

Malti Devi Wife of Rajesh Mukhiya, resident of village-Kaithwar Bishnupur,
Police Station-Sakatpur, District-Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 366, 376 and 323 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons kidnapped her and on assurance of marriage committed rape on her and on being opposed, they also assaulted her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady and wife of co-accused namely Rajesh Mukhiya. The main allegation is against the co-



accused Rajesh Mukhiya in the statement recorded under Section 164 Cr.P.C. of the victim. The victim has not named the petitioner in her Section 164 Cr.P.C. statement.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, Madhubani in connection with Bhairab Asthan P.S. Case No. 62/2016, G.R. No. 936/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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