

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16637 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- AWTARNAGAR District- Saran

1. SHARDANAND SINGH, aged about 55 years, Male, Son of Late Surendra Singh R/o village- Naraon, P.S- Avtar Nagar, District- Saran
2. Guriya Devi @ Gudi Devi, aged aged about 42 years, Female, Wife of Kamakhya Singh R/o village- Naraon, P.S- Avtar Nagar, District- Saran

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Kumar, Adv.

For the Opposite Party : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 25-06-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek anticipatory bail in connection with Avtar Nagar P.S. Case No. 130 of 2018 for the offences alleged under Sections 376, 323, 313, 506, 354A and 34 of the Indian Penal Code and 4 of the Protection of Children from Sexual Offences Act.

The accusation of the informant, Punam Kumari, who is minor daughter of petitioner no. 1 and aged about 17 years, is that from the age of 7 to 8 years petitioner no. 1, her father, used to touch her body with malicious intention and in the absence of family members petitioner no. 1 outraged her modesty. She informed to her mother, late Pushpa Devi, who narrated the



matter to informant's grandmother. The grandmother informed the matter to her another son, Kamakhya Singh, who beaten the informant and her mother. Thereafter her mother taken the informant and her two brothers to her aunt's place at Patna City, where she started living. In the meantime, the mother of the informant became ill and suffered from tuberculosis, her father came and got treated her mother, but, she died. Her father taken the informant and two brothers to village where sharadh ceremony performed. Petitioner no. 1 started committing rape on victim due to which she became pregnant, she was administered medicine for abortion about which she informed her grandmother.

Learned counsel for the State opposes the prayer for anticipatory bail.

In the facts and circumstances, let the petitioner no. 2, Guriya Devi @ Gudi Devi, in the event of surrender/arrest, within a period of four weeks from today, in connection with Avtar Nagar P.S. Case No. 130 of 2018 shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge, I, Saran at Chapra, subject to the conditions as laid down under Section



438(2) Criminal Procedure.

So far as the prayer for anticipatory bail of petitioner
no. 1, Shardanand Singh, is concerned, in view of the nature of
allegation his prayer is rejected.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

