

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18728 of 2019

Arising Out of PS. Case No.-143 Year-2017 Thana- DAGARUA District- Purnia

Ugani Daughter of Jagdish Bishwas, aged about 38 years (Female), R/o
village- Kohila, P.S.- Dagarua, District- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner, in her second attempt, is seeking
regular bail in connection with Dagaruwa P.S. Case No. 143
of 2017 registered under Sections 341, 323, 376, 504/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation against this petitioner is that the victim girl was
in her contact and she was taking the victim girl to one
Dipak Kumar and then by taking advantage of being dumb
and handicapped the victim girl was being subjected to rape
by said Dipak Kumar. It is submitted that the father of the
victim girl lodged the case six months after the alleged
occurrence. The victim girl is major aged about 28 years



which is mentioned in the F.I.R. itself and then the boy Dipak Kumar having been found juvenile has been granted privilege of regular bail from the court of learned Sessions Judge. This fact is stated in paragraph '13' of the present application. It is further submitted that the petitioner is in custody since 24.09.2017 and at this stage only the charge has been framed.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner was instrumental in taking the victim girl to the said Dipak Kumar and therefore she does not deserve the privilege of regular bail.

Having heard learned counsel for the petitioner and learned A.P.P. for the State and considering the facts and circumstances whereunder the petitioner is in custody since 24.09.2017, almost two years have gone by now and further that said Dipak Kumar has been granted bail and at this stage the court also notices that the victim girl was aged about 28 years, this court is inclined to grant privilege of regular bail to the petitioner, let the above-named petitioner be enlarged on regular bail furnishing bail bond of Rs.



15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Purnea, in connection with Sessions Trial No. 246 of 2018 arising out of Dagaruwa P.S. Case No. 143 of 2017, subject to condition prescribed under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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