

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22152 of 2019

Arising Out of PS. Case No.-150 Year-2018 Thana- SIKARPUR District- West Champaran

RINA DEVI Wife of Murari Chaudhary Resident of Village - Mariya, P.S.-
Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-04-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Shikarpur P.S. Case No. 150 of 2018, disclosing offences under Sections 376 and 34 of the IPC and Section 4 of the POCSO Act.

On perusal of the FIR, it can be seen that there is allegation against the co-accused Brijesh Kumar of having physical relationship with the victim, a minor.

Learned counsel for the petitioner is correct in his submission that there is no allegation against this petitioner of any nature in the FIR, which can be said to be constituting a criminal misconduct.

This application is accordingly allowed. Let the



petitioner, above named, in the event of her arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional District and Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 150 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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