

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70635 of 2018

Arising Out of PS. Case No.-378 Year-2015 Thana- LAKHISARAI District- Lakhisarai

Sandhiya Kumari, Wife of Krishna Verma, Resident of Village- Kiul Basti,
P.S.- Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 354A, 366A and 376/34 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

The prosecution case, as per the written report of Rajesh Kumar, dated 24.05.2015, submitted to the Station House Officer, Lakhisarai Police Station, is to the effect that on 20.05.2015, the niece of the informant, namely, Sanpu Kumari went to attend the tuition class, but she did not return, leading to registration of FIR against unknown persons. During investigation, on recovery of the victim girl, her statement under Section 164 Cr. P.C. was recorded, where she got her age



recorded as 10 years when the Court assessed her age as 11 years, whereas as per the medical opinion, the age of the victim has been assessed between 16 to 17 year. In her statement, the victim stated that she used to take tuition with co-accused Santosh Kumar, who proposed her to marry, and one day, the petitioner got her boarded in the train and gave some chocolates and after eating the chocolate, the she became unconscious.

It is submitted by learned counsel for the petitioner that thrust of accusation is against co-accused Santosh Kumar, who has been granted regular bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 65149 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that there is specific accusation against the petitioner.

Considering the thrust of accusation against co-accused, Santosh Kumar, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned ADJ-I, Lakhisarai in connection with Lakhisarai P.S. Case No. 378 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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