

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31286 of 2019

Arising Out of PS. Case No.-87 Year-2016 Thana- BELA District- Sitamarhi

Ruksana Khatoon, Aged about 19 years, Female, Daughter of Md. Gogal Ansari @ Jamil Akhtar Ansari, Resident of Village- Shiv Nagar, Police Station- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-05-2019 Heard both sides.

Petitioner apprehends her arrest in Bela P.S. Case No.87 of 2016, registered under Sections 376, 109, 323, 341, 379, 504 and 120(B) of the Indian Penal Code.

The informant firstly lodged Complaint Case No.784 of 2016 on the basis of which the present FIR was registered. The informant alleged that Md. Ali Ansari established sexual relation with her on the pretext of marriage but when she became pregnant, Md. Ali Ansari refused to marry her. She further alleged that the petitioner instigated her to have sexual relation with Md. Ali Ansari.

Learned counsel for the petitioner submits that petitioner has no manner of concern with the informant and Md. Ali Ansari. The informant continued to have sexual relation with



Md. Ali Ansari with her own free will and consent. When Md. Ali Ansari refused to marry, the petitioner has falsely been implicated in the case. Similarly situated co-accused, Samsul Ansari @ Samrul Ansari and Maimun Khatoon @ Maitul Khatoon @ Maiful Khatoon have already been granted anticipatory bail vide order dated 16.12.2016, passed in Cr. Misc. No.48157 of 2016.

Considering the facts that the informant in her complaint petition alleged that at the instigation of the petitioner, she had sexual relation with Md. Ali Ansari but it appears that the informant herself continued to have sexual relation with Md. Ali Ansari, let petitioner, above named, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Sitamarhi in connection with Bela P.S. Case No.87 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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