

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42793 of 2019**

Arising Out of PS. Case No.-4 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

AFSANA KHATOON D/o Late Nizamuddin Kuraisi R/o Vill- Siddiki Lane,
P.S.- Town, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 26-09-2019 This application, for grant of anticipatory bail, arises out of Muzaffarpur Mahila P.S. Case No. 04/2019, disclosing offences under Sections 313 and 342 of the Indian Penal Code.

Prosecution case is that petitioner is said to be trainee (rehabilitation) Alpawas Grih, Muzaffarpur, and she alleged to have provided a medicine to victim causing termination of her pregnancy.

Submission of learned counsel for the petitioner is that allegation is false and concocted and there is nothing available on record to show that she will derive any benefit from terminating the pregnancy of the alleged victim girl and there is no medical report available on record to show that the victim was given any medicine causing miscarriage of her pregnancy.



It has also been submitted that the case has been lodged after two years and the statement of girl recorded under Section 164 Cr.P.C. appears to be exaggerated one.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the statement of victim girl recorded under Section 164 Cr.P.C., I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available on record, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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