

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67409 of 2018

Arising Out of PS. Case No.-388 Year-2018 Thana- CHAPRA TOWN District- Saran

Kumari Saroj, wife of Sumant Mishra, resident of village- Bebhnath Nagar,
Near-B.S.N.L. office, P.S.-Mufasi, District-Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 09-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Chapra Town P.S. Case No.388 of 2018** instituted for the offence under Section(s) 376(C), 201, 315, 120-B Indian Penal Code pending in the Court of the **Chief Judicial Magistrate, Chapra.**

In the written report, it is alleged that this petitioner, who was working as Training and Rehabilitation Officer in Alpawas Grih, did not inform the informant, who is posted as Programming Manager in Saran District about the sexual exploitation committed by the Guard, Ram Swaroop Pandit with one Soni Devi aged about 23 years residing in aforesaid Alpawas Grih. It is alleged that the informant after having doubt sent written complaint to Head Quarter, Patna. On the said



written complaint, Saran Alpawas was inspected on 10.07.2018 by a Committee constituted by headquarter. The Inspection Committee after inspection found that Guard, namely, Ram Swaroop Pandit of Alpawas Grih committed rape with one Soni Devi aged about 23 years. It is alleged that Training and Rehabilitation Officer (petitioner) had told the Inspecting Team that medicine has been given to Soni Devi by Guard, Ram Swaroop Pandit. Such information was given to Secretary, namely, Randhir Prasad. It is further alleged that as per medical report dated 06.02.2018 of Sadar Hospital, Chapra, doctor has found pregnancy negative, but in another report dated 28.06.2018, report of pregnancy was found to be positive. It is further alleged that this petitioner, who was Training and Rehabilitation Officer of Alpawas Grih, did not disclose the aforesaid occurrence to the authority and she has concealed the same.

Case diary has been received.

Learned APP has submitted that victim in para 56 has stated that this petitioner had knowledge about the sexual act committed by the Guard Ram Swaroop Pandit with the victim. It has come in para 88 of the case diary that occurrence committed by Guard was within the knowledge of this



petitioner, but she did not inform anyone.

The victim has given her statement under Section 164 Cr.P.C., wherein, she has levelled allegation against Ram Swaroop Pandit of committing illegal with her, which was within knowledge of the petitioner.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

The trial Court is directed to expedite the trial.

(Sanjay Priya, J)

J. Alam/-

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