

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71161 of 2019

Arising Out of PS. Case No.-377 Year-2019 Thana- GAYA MUFASIL District- Gaya

KAVITA SINGH Wife of Amlesh Kumar Singh Resident of - Rampurgosh,
P.S.- Sikandara, District- Jamui, At present Residing at Village- Sikhar, Gaya,
P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.P.K.Shahi, Sr. Adv.
		Mr.Rabindra Kumar Priyadarshi, Adv.
For the Opposite Party/s	:	Mr.Satyavrat Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-11-2019 Heard learned Senior counsel for the petitioner and
learned APP for the State.

The petitioner who is in custody since 26.09.2019 has
filed the instant application for grant of bail in connection with
Muffasil P.S. Case No. 377 of 2019 (District Gaya) registered
for the offence punishable under section 376(D) of the Indian
Penal Code and section 4/6 of the POCSO Act, 2012.

As per the allegation in the FIR, it is stated by the
informant that as a result of some minor altercation with her
mother, she went away with the accused Rahul to Vijay Utsav
Marriage Hall. The owner of the Vijay Utsav Marriage Hall
scolded her for having come there again. It is further stated that
Bablu and his friend Sonu committed rape on her in the house of
Bablu.

It was submitted by learned Senior counsel appearing



for the petitioner that so far as this petitioner is concerned, she happens to be the wife of Amlesh Singh, the owner of the Vijay Utsav Marriage Hall. She is not named in the F.I.R. Her name has transpired in course of the statement of the informant made under section 164 Cr.P.C. It is further submitted that besides this mention of the petitioner, there is no allegation against this petitioner. The allegations of having committed rape on the informant is on Rahul, Sonu and Bablu. The petitioner has no criminal antecedent and is in custody since 26.09.2019.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner being a lady and her being in custody since 26.09.2019, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, POCSO, Gaya in connection with Mufassil P.S. Case No. 377 of 2019 (District Gaya).

(Partha Sarthy, J)

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