

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79435 of 2019**

Arising Out of PS. Case No.-198 Year-2015 Thana- SIKARPUR District- West Champaran

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MARIYAM @ MARIYAM KHATOON, Daughter of Sk. Anarul @ Sheikh Anwarul, Resident of Village- Rakhahi, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arif Daula Siddiquie, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 376/34 of the Indian Penal Code and Sections 4, 8 and 12 of the POCSO Act.

The prosecution case is that co-accused, Neyaz, Saddam and others ravished the informant while the petitioner is alleged to have facilitated commission of the said crime.



It is submitted by learned counsel for the petitioner that on conclusion of investigation, the petitioner has not been sent up for trial along with others and other similarly situated co-accused, Aashiya @ Asiya @ Shahabun Nesa and Shabnam @ Shaista Saba have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.12.2019, passed in Criminal Miscellaneous No. 80676 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR with specific accusation.

Considering the fact that the petitioner is a lady and on conclusion of investigation, she along with others have not been sent up for trial, the thrust of accusation is against male accused and similarly situated accused have been granted bail by a co-ordinate Bench of this Court, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st ADJ-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Shikarpur P.S.



Case No.198 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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