

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12492 of 2021

Arising Out of PS. Case No.-342 Year-2019 Thana- GORAUL District- Vaishali

ANITA DEVI Wife of Late Mithlesh @ Mithlesh Sah Resident of Village-
Bishanpur Adara, P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Shankar, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Goraul P.S. Case no. 342
of 2019 registered under sections 376 and 386(a) of the Indian
Penal Code, sections 3 and 4 of the POCSO Act and 3(x) of the
SC & ST (Prevention of Atrocities) Act.

As per allegation in the FIR, it is stated that the
informant and the son of the petitioner entered into friendship
and the son of the petitioner established physical relation with
the informant. Subsequently they married. However, the son of
the petitioner abandoned the informant and on the informant
going and narrating her plight to the petitioner, it is stated that



she was outraged and started to abuse her in the name of her caste. Other persons also joined her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. For an alleged occurrence said to have taken place on 24.4.2019, a complaint was filed on 9.8.2019 and thereafter the FIR registered. From the contents of the FIR it would transpire that the main allegation is against the son of the petitioner herein. The petitioner has been falsely implicated in the case because of her relationship with the co-accused. She being a lady is in jail since 7.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the allegations as contained in the FIR together with the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Goraul P.S. Case no. 342 of 2019 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 Special Court, POCSO-cum-



Additional District and Sessions Judge VI, Vaishali at Hajipur.

(Partha Sarthy, J)

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