

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3779 of 2020

Arising Out of PS. Case No.-119 Year-2019 Thana- MAHILA P.S. District- Patna

Seema Devi @ Arti Devi Wife of Jivanand Rai @ Arun Rai Resident of
Marshal Bazar, P.S.- Danapur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rajendra Narain, Sr. Advocate Mrs. Usha Kumari Singh, Advocate
For the State	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-10-2021 Heard Mr. Rajendra Narain, learned senior counsel
appearing on behalf of the petitioner and Mr. Arun Kumar
Singh, learned APP appearing on behalf of the State.

The petitioner apprehends her arrest in connection
with Special (POCSO) Case No. 223 of 2019 arising out of
Mahila P.S. Case No. 119 of 2019 registered for the offence
under Sections 376/34 and 114 of the Indian Penal Code.

The allegation against the petitioner is that she took
12 years daughter of her sister to a engineer's house where in
her presence and at her instigation, sexual act was committed
upon the victim by engineer co-accused Raju Kumar. The
statement of the victim recorded under Section 164 of the Code
of Criminal Procedure supports the prosecution case.



In the circumstances, this is not a fit case for grant of anticipatory bail to the petitioner. Hence, prayer for anticipatory bail is hereby rejected.

The practitioner is directed to surrender in the court below by 1st of November, 2021. In case the petitioner does not surrender in the court below by 1st of November, 2021, Senior Superintendent of Police, Patna is directed to get her arrested.

The case in question has been instituted on 06.11.2019. The present petitioner has not been arrested as yet in the case though in such a serious nature of offence, she should have been arrested long back.

Senior Superintendent of Police, Patna is directed to explain as to why the petitioner has not been arrested as yet. Sr. S.P. is also directed file a compliance report by way of affidavit on or before 3rd of November, 2021.

Put up this case on 3rd of November, 2021.

Let a copy of this order be communicated to the Senior Superintendent of Police, Patna through FAX message forthwith.

(Sandeep Kumar, J)

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