

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33581 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- CHAKIA District- East Champaran

NILU DEVI Wife of Navin Pandey @ Rajeev Pandey R/o Village- Sherpur,
P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prateek Tandon, Adv.
For the Opposite Party/s	:	Mr. Anant Kumar-1, APP
For the Informant	:	Mr. Kundan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard Mr. Prateek Tandon, learned counsel for the petitioner, Mr. Anant Kumar-1, Additional Public Prosecutor for the State and Mr. Kundan Kumar, learned counsel appearing for the Informant.

Petitioner seeks regular bail in connection with Chakia PS Case No. 103/2020 registered for the offences punishable under Sections 363, 366(A), 376, 120B of the IPC and Section 4 of the POCSO Act.

The allegation against the petitioner, as per First Information Report, is that she called the daughter of the informant, confined her in the kitchen and co-accused, Prabhat Kumar, allegedly, committed rape upon the daughter of the informant and subsequently, she was kidnapped/abducted by Prabhat Kumar and others.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous dispute inasmuch the petitioner is neighbour of the informant. Learned counsel next submits that the co-accused, Prabhat Kumar, against whom the allegation of rape is there, has been granted bail by a Co-ordinate Bench of this Court *vide* Cr. Misc. No. 12913/2021. Learned counsel further submits that petitioner is a lady and she is in custody since 12.01.2021 having no criminal antecedents.

On the other hand, learned counsel appearing for the informant submits that the petitioner has acted as facilitator and she called the daughter of the informant, kept her in confinement and co-accused, Prabhat Kumar committed rape upon the daughter of the informant.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the co-accused, against whom there is allegation of rape and abduction of the daughter of the informant, has been granted bail by a Co-ordinate Bench of this Court, petitioner being a lady is in custody since 12.01.2021 having no criminal antecedents and the charge-sheet, in the matter, has been submitted, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, NILU DEVI be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional District & Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Chakia PS Case No. 103/2020.

(Anil Kumar Sinha, J)

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