

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3672 of 2021

Arising Out of PS. Case No.-271 Year-2020 Thana- KOTWALI District- Patna

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Annu Kumari Daughter Of Vinay Paswan Vill Kamla Nehru Nagar, P.S.
Kotwali, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Ms. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-08-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kotwali Police Station Case No. 271 of 2020 registered for the offence punishable under Sections 354, 376 of the Indian Penal Code and 04 of POCSO Act.

The prosecution story, as per the F.I.R. is that one accused person namely *Doman Yadav* enticed away the informant girl along with *Annu Kumari (petitioner)* in one house situated at



Yarpur. The accused petitioner started to commit rape thereafter, on getting the advantage of circumstances she ran away along with her sister by biting on the hand of accused petitioner *Doman Yadav* and gave information of entire episode to her mother.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that victim girl has stated in First Information Report that the accused *Doman Yadav* enticed away her and her sister *Annu Kumari* to his house and she has given her statement under Section 164 of the Cr.P.C. that she and *Annu Kumari* were coming from *Yarpur* Market and in the mean time at 4 P.M., four persons caught him and petitioner *Annu Kumari* from there and committed such occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is a lady and has no criminal antecedent as has been mentioned in para 3 of this bail petition and she is languishing in custody since 26.07.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the fact that there is contradiction of statement under Section 164 Cr.P.C. and statement recorded in the F.I.R., the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kotwali Police Station case No. 271 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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