

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8056 of 2021

Arising Out of PS. Case No.-257 Year-2017 Thana- BAKHTIYARPUR District- Patna

SMT SUNITA DEVI @ SUNITA SINHA W/o Late Arun Kumar Arya R/o
Moh- Naya Tola, Madhopur, P.S.- Bakhtiyarpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-06-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Bakhtiyarpur P.S. Case
No. 257 of 2017, registered for the offence punishable under
Sections 354, 363, 376 of the Indian Penal Code and section
5/10 of the POCSO Act.

As per the prosecution case, petitioner is alleged to
have facilitated the commission of rape on informant by the co-
accused Pukar Rai. It is further alleged that petitioner took her
to Noida for selling. Petitioner is wife of co-accused Pukar Rai.

It is submitted on behalf of the petitioner that
petitioner is not the wife of co-accused Pukar Rai rather she is



wife of Late Arun Kumar Arya and due to confusion she has been made accused in this case. She has no concern with the informant or the co-accused Pukar Rai. Co-accused Naresh Paswan has been granted bail by this court vide order dated 22.11.2018 passed in Cr. Misc. No. 56310 of 2018 (Annexure-5). Petitioner is in custody since 02.09.2020 and claims clean antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that petitioner is a lady, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO Act)-cum-Additional Sessions Judge I, Patna in connection with Bakhtiyarpur P.S. Case No. 257 of 2017, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.



(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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