

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9935 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- DAWATH District- Rohtas

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LAILA KHATOON Wife of Mumtaz Ansari Resident of Village - Sahinav,
Police Station - Dawath, District - Rohtas. (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dawath
P.S. Case No.81 of 2021 registered for the offence under
Sections 376, 312 and 506 of the Indian Penal Code and Section
4/8 of POCSO Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.11.2021.

The allegation against the petitioner is to help her son
to commit penetrative sexual assault upon the daughter of the
informant.

Learned counsel appearing on behalf of the petitioner



submitted that allegation against son of the petitioner is to commit rape upon the daughter of the informant as alleged is false, as same was on consent. It has been submitted that petitioner is mother of the main accused. It has further been submitted that the petitioner is a man of clean antecedent and she is a lady. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is the mother of the main accused.

Considering the facts and circumstances as mentioned above, as petitioner is implicated being the mother of the main accused, having clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dawath P.S. Case No.81 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VII, Rohtas at Sasaram, subject to the following conditions:

“(i) *Accused/Petitioner shall*



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Akhtar Hussain, who is the Bhaisur of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

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