

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11282 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- GAUNAHA District- West Champaran

FATIMA KHATOON @ FATMA KHATOON W/o Manjoor Alam Minya @
Manjur Alam Resident of Village- Kohargadi, P.S.- Gaunaha, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner apprehend her arrest in a case registered for the offence punishable under sections 376/511 of the Indian Penal Code and 8 of POCSO Act.

Allegedly, the co-accused Abulaish Miyan tried to outrage the modesty of the informant when she was alone at her house. When the parents of the informant went to the house of the co-accused Abulaish Miyan for enquiring about the alleged occurrence, the petitioner along with her family members



assaulted the informant's side by sticks.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Both the parties are neighbours and they are on litigating terms. The specific allegation is against the co-accused Abulaish. The petitioner has not been apprehended on the spot and has no concern with the co-accused persons. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the informant is a minor, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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