

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13225 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- AANDAR District- Siwan

RAMBHA DEVI Wife of Sri Janak Sharma Resident of Village - Usri
Buzurg, P.S. - M.H. Nagar, Hasanpura, District - Siwan, Bihar- 841236.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13604 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- AANDAR District- Siwan

JANAK KUMAR SHARMA @ JANAK SHARMA Son of Paras Nath
Sharma Resident of Village- Usri Buzurg, P.S.- M.H. Nagar, Hasanpura,
District- Siwan, Bihar- 841236.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13225 of 2022)

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 13604 of 2022)

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 341, 323,
376 and 504/34 of the Indian Penal Code and Sections 3/4 of
the POCSO Act and Section 66 of the I.T. Act.



As per allegation in the FIR, the victim was raped by co-accused Rajan Sharma after offering her food mixed with some medicines in order to make her unconscious and while he was committing illegality he also took pictures and videos and made them viral.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that at the instance of the petitioners, the victim works at the house of the petitioner (Rambha Devi) but son of the petitioner, namely, Rajan Sharma committed rape and made video clip of the victim after administering her obnoxious material. He further submits that the petitioners have no specific role of committing wrong with the victim being mother and father of the main co-accused Rajan Sharma. From perusal of the injury report of the victim, the injuries are simple in nature. He further submits that the petitioners are suffering from ailment and at the alleged date and time of occurrence they were in Delhi for the purpose of their treatment.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named, in the event of their arrest or



surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Siwan in connection with Aandar (M.H.Nagar) P.S. Case No. 223 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

U		T	
---	--	---	--

