

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32187 of 2021**

Arising Out of PS. Case No.-125 Year-2020 Thana- LAKHISARAI District- Lakhisarai

KRITI KUMARI WIFE OF SATYAM KUMAR R/O VILLAGE- REHUA,
P.S.- LAKHISARAI, DISTRICT- LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra
		Mr.Pramod Kmar
For the Opposite Party/s :		Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 27-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends her arrest for the offences alleged under Sections 363 and 365 of the Indian Penal Code, registered in connection with Lakhisarai P.S.case No. 125 of 2020 (G.R.No. 244 of 2020).

As per allegation, the grand-daughter (*natni*) of the informant was residing in her house. On the date of occurrence, she went for play, but did not return. The descriptions and features of the victim have been mentioned in the FIR. The



victim's age was of nine years.

The learned counsel for the petitioner has submitted that there is land dispute between the parties and it was the reason that the petitioner has falsely been implicated in this case. He has also submitted that the victim was not recovered by the police, rather she herself came to her house.

On the other hand, the learned APP has submitted that the victim is a girl of nine years. Her statement under section 161 of the Cr.P.C. has been recorded in paragraph no.12 of the case diary and similarly her statement under Section under Section 164 of the Cr.P.C. has also been recorded in paragraph no.35 of the case diary. In her statement under Section 164 of the Cr.P.C. the victim has stated that the present petitioner along with one Satyam Kumar forcibly took her towards forest. The allegation against the petitioner is that she gagged the mouth of the victim, whereas co-accused Satyam Kumar was pressing her throat. In her statement under Section 161 of the Cr.P.C. recorded in paragraph no 12 of the case diary, the victim stated that when her throat was pressed, she became unconscious and on regaining consciousness, she started crying then two persons came there but they did not help her. Later on, one person who was grazing his sheep, brought her to her house.



The victim is nine years old. She rendered her statements under Section 161 as well as Section 164 of the Cr.P.C. supporting the occurrence. She categorically stated that the petitioner was the person who gagged her mouth and co-accused Satyam Kumar pressed her throat.

The investigation is still going on. As such, I do not think it a fit case for anticipatory bail.

The prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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