

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22774 of 2022

Arising Out of PS. Case No.-1 Year-2020 Thana- HARINMAR District- Munger

PUNAM KUMARI D/O- LATE SAHDEO SINGH R/O VILLAGE-
ATHSAIYA, P.S.- HARINMAR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends her arrest in a case registered for the offence punishable under Section 376, 376(D) and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner induced and took away the minor daughter of informant from his house and thereafter other accused by tying her hands and legs committed rape with her.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner is an unmarried lady and specific accusation of committing rape is against other accused persons. There is delay of five days in lodging the FIR without any explanation. As a matter of fact the victim was in love with co-accused, Kashmir



Singh and she fled away from her house and was hidden in the house of Kashmir Singh as her marriage was fixed with one Pankaj Mahto and ultimately marriage was solemnized on 02.03.2020 Petitioner has got clean antecedent. Similarly situated accused Kaili Devi and Yashoda Devi have already been granted pre arrest bail by a co-ordinate Bench of this court vide order dated 11.01.2022 passed in Cr. Misc. No. 37961/ 2021. The victim refused for medical examination.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and nature of accusation against the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Chief Judicial Magistrate, Munger in connection with Harinmar PS case No.01/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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