

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38298 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- PUPRI District- Sitamarhi

SUNITA DEVI Wife of Harishchandra Mahto @ Harichan Mahto Resident of
Village - Pupri, Noniya Tola, Ward No. 13, P.S.- Pupri, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Advocate Smt. Divya Bharti, Advocate
For the Opposite Party/s :		Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned Counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending her arrest in a case
registered under Sections 341, 323, 354, 376 of the Indian Penal
Code and Sections 4/6 of POCSO Act and Section 67(c) of I.T. Act.

Prosecution case, in short, is that co-accused Subodh
Kumar attempt to commit rape upon the victim and the accused
persons including the petitioner assaulted the victim and her mother
by means of lathi, danda, due to which they sustained injuries.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Free fight is alleged to have taken place. The allegation of rape is alleged against the co-accused, namely, Subodh Kumar. As far as the petitioner is concerned, general and omnibus allegation of assault is alleged against her. The petitioner is a lady.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, Sitamarhi in connection with Pupri P.S. case No.40 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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