

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42318 of 2022

In
CRIMINAL APPEAL (SJ) No.1585 of 2021

Arising Out of PS. Case No.-371 Year-2020 Thana- BHORE District- Gopalganj

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MUNNI DEVI Wife of Raju Lala @ Raju Sinha Resident of Village -
Ramnagar Sisai, P.S.- Bhorey, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. H.A. Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-11-2022 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 342, 376,
506 & 504/34 of the Indian Penal Code, Section 3 (2) (v)/3 (1)
(w) of the SC/ST Act and 4/8 POCSO Act.

One co-accused Pappu Kumar @ Pappu Miyan is
said to have committed rape against the daughter of the
informant. The allegation against this petitioner is that she
threatened the informant from going to police.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. She has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is attributed against co-accused, Pappu Kumar @ Pappu Miyan. There is abnormal and inordinate delay of 10 days in lodging the F.I.R. without assigning any plausible and cogent reason for the said delay, which creates serious doubt about the prosecution case. Petitioner is a lady and has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bhorey P.S. Case No.371 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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