

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49697 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- GOVINDGANJ District- East
Champaran

ANITA KUMARI D/O DEV NARAYAN SAH R/O VILLAGE- RAJEPUR,
P.S.- GOVINDGANJ (ARERAJ), DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur, Adv.

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

Mr. Jitendra Narain Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends her arrest in a case registered for
offence punishable u/s 363, 365, 366, 366-A of the IPC and
u/s 8 of the POCSO Act.

Allegedly, the petitioner and Raushani Khatoon took
the victim girl to walk in the evening. The victim did not
return to home. When the petitioner was asked, she told that
the victim was kidnapped. However, Arvind Prasad Singh told
the informant that the victim girl was going with Sarik Ansari



and Jamil Mian on a motorcycle. The informant asked Sarik's father who threatened him of dire consequences.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is further stated that the statement of the victim u/s 164 Cr.P.C has been recorded and in her statement she did not allege anything against the petitioner. She alleged that Sarik Ansari and Jamil Mian took her to the house of co-villager and kept there for three days. There is no specific allegation against the petitioner. Only this much has been alleged in the FIR that the petitioner took the victim girl to evening walk. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail submitting that the victim girl was minor and she has stated in her statement that she had gone out of her home at the behest of petitioner and accused petitioner in collusion with the co-accused Sarik Ansari. Thus, there is direct allegation against the petitioner as per the statement of victim u/s 164 of the Cr.P.C..

Having regard to the facts and circumstances of the



case, since there is serious allegation against the petitioner, I am not inclined to enlarge her on bail. The prayer for grant of anticipatory bail on her behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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