

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8682 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- KARAKAT District- Rohtas

RINA KUMARI @ RINA SONI, aged about 30 years, Female, Daughter of Manoj Sah @ Manoj Seth @ Manoj Prasad Soni @ Manoj Kumar Soni, Resident of Village- Gorari, P.S.- Karakat, Distt- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ashwani Kumar Tiwary, Advocate
For the State	:	A.G.
For the Informant	:	Mr. Raghunandan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-05-2022 Heard learned counsels for the petitioner, informant and learned counsel for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending her arrest in connection with Karakat P.S. Case No. 69 of 2020 for the offence registered under Sections 363, 376D, 341, 342, 328, 120(B) of the I.P.C. and Sections 4/6 of the POCSO Act.

The prosecution story, in brief, is that the co-accused, namely, Ravi Kumar, and the victim were into love affair and co-accused Ravi Kumar also used to compel the victim to establish relation with one Sachin Yadav. The petitioner is sister



of co-accused Ravi Kumar. The victim had gone to Beauty Parlour of the petitioner. The petitioner and other co-accused took the victim to Bikramganj. Co-accused Bhola Seth feeded some biscuits causing unconsciousness to the victim. When the victim gained consciousness, her hands were tied and mouth was gagged by the petitioner and other co-accused. Thereafter, co-accused Ravi Kumari, Bhola Seth and Munna Soni raped her.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The allegation as levelled in the F.I.R. is denied by the petitioner. In course of investigation, the allegation against the petitioner was found to be false and the police has submitted final form. The petitioner is an unmarried lady. Other co-accused, namely, Bhola Prasad @ Bhola Seth @ Bhola Soni has already been granted regular bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 30670 of 2020 under order dated 15.12.2020.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R. The victim has been recovered. Her statement under Section 164 Cr. P.C. has been



recorded which is in paragraph no. 46 of the case diary. There is specific allegation alleged against the petitioner on the point of abduction and subjecting her to sexual abuse by other co-accused.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Karakat P.S. Case No. 69/2020, pending in the court of learned Ist Additional Sessions Judge-cum-Special Judge, Rohtas, Sasaram.

If the petitioner surrenders in the learned court below and prays for regular bail the same shall be considered by the learned court below on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)

