

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3224 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- MAHILA P.S. District- Bhojpur

PRITI KUMARI Wife of Anand Kumar Resident of Village- Majhuin, P.S.-
Shivsagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Kumar,Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh,APP

Mr.Shantam Shivam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-03-2023 Heard learned counsel for the parties.

The petitioner apprehends her arrest in Bhojpur Mahila P.S. Case No. 45/2022 registered for the offence under Sections 323, 504, 506, 376, 120B, 420 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have abated the alleged sexual assault by the co-accused Sudhanshu Kumar upon the informant and recorded the video of same.

Learned counsel for the petitioner submits that petitioner is married lady and she has been falsely implicated in this case. Allegation of commission of sexual assault is against co-accused Sudhanshu Kumar. By filing supplementary affidavit, learned counsel for the petitioner submits that recently, petitioner has given birth to a male child on 19.11.2022 and the



petitioner is a lactating mother, whose care and protection is required to her child.

However, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that this petitioner colluded with co-accused Sudhanshu Kumar and committed this heinous crime and it was she, who made video of the alleged incident.

Considering the nature of the accusation as well as the fact that petitioner is lady and has recently given birth to a child, in the event of her arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned S.D.J.M., Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 45 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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