

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17212 of 2023

Arising Out of PS. Case No.-119 Year-2022 Thana- KARAKAT District- Rohtas

Rahila Kuwar W/O Late Kashinath Tiwari R/O Village- Manik Parasi, P.S.-
Karakat, Distt- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Sharma S/o Late Ramji Sharma R/o village- Parasi, P.S.- Karakat,
Distt- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363 and 366A of the Indian Penal Code and Section 12 of POCSO Act.

3. As per FIR, the prosecution case in short, is that the informant is a labour and his wife died during the Covid-19 pandemic and he has three children. His daughter aged about 13 years was working in the house of this petitioner but she did not pay for work of his daughter. It is further alleged that petitioner has three sons, who have sold his daughter and when the informant inquired about the same, they abused and assaulted



him. The informant raised strong suspicion that his daughter was sexually assaulted by the sons of Rahila Kuwar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has falsely been implicated in this case. It is further submitted that the only allegation against the petitioner is that she did not pay the victim for her work as domestic help so, the above mentioned sections are not made out against her. Nothing specific allegation has been attributed against her. It is also submitted that petitioner is an old lady aged about 62 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 01.08.2023 in Cr. Misc. No. 75378 of 2022. Moreover, she is languishing in judicial custody since 22.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts that petitioner being an old lady and her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released



on bail in connection with Karakat P.S. Case No. 119 of 2022 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Additional Sessions Judge-VII-cum-Exclusive Special Judge,
POCSO Act, Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

