

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19501 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- MAHILA PS District- Gaya

Rupa Devi @ Rupa Kumari, Wife of Ravindra Manjhi, R/V- Amawan P.S-
Bodh Gaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-06-2023 Heard Mr. Sunil Kumar Yadav, learned counsel
appearing on behalf of the petitioner and the learned APP for the
State.

The petitioner apprehends her arrest in connection
with Mahila P.S. Case No. 102 of 2022 registered for the
offence punishable under Sections 323, 341, 354(C), 354(D),
376 and 506 of the Indian Penal Code and Section 4/6 of the
POCSO Act.

It is alleged that co-accused 'Rishu Kumar' has
committed rape upon the informant's daughter and when the
victim protested, she was threatened with dire consequences and
also threatened to make obscene photographs viral. When the
informant approached to the house of the said 'Rishu Kumar'



this petitioner along with others assaulted her.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is a hapless mother of said 'Rishu Kumar' and save and except she being mother, there is no material against her, however, only in order to implicate her name in the present case, it is stated in the FIR that she abused and assaulted the mother of the victim. Further submissions has been made that the son of the petitioner is already in custody and she having fair antecedent, undertakes to fully co-operate in the investigation. Learned counsel for the petitioner further drawn the attention towards final form as contained in Annexure- A/2, which clearly suggests that the charge-sheet has been submitted only under Section 341, 323 and 504 of the IPC against the petitioner.

Prima facie, from the charge-sheet it appears that the petitioner has no apprehension of her arrest as the same has been submitted under Section 341, 323 and 504 of the IPC, which areailable.

In view thereof, let the petitioner be surrendered before the Court below and pray for a regular bail within a period of four weeks from the date of receipt/production of a copy of this order.



Learned counsel for the State has no objection.

In view of the aforesaid observation, the present bail application stands disposed of.

(Harish Kumar, J)

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