

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22256 of 2023

Arising Out of PS. Case No.-221 Year-2021 Thana- PARIHAR District- Sitamarhi

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Mariyam Khatoon @ Marni Wife Of Rahmat Ansari @ Md. Rahmat Ansari
Resident Of Village - Mahadevpatti @ Mahadeopatti, P.S. - Parihar, Distt. -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Santosh Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in connection
with Parihar P.S. Case No. 221 of 2021 registered under
Sections 341, 323, 376/34 of the Indian Penal Code and Section
4 of POCSO Act.

3. As per the allegation made in the F.I.R. is that co-
accused Murtaza Khan @Laloo Ansari after enticing the
informant by promising to marry with her committed rape upon
her.



4. Learned counsel appearing on behalf of the petitioner submits that specific allegation is against the son of the petitioner, namely, Murtaza Khan @ Laloo Ansari. Learned counsel further submits that petitioner being the mother of the co-accused has no role to play in the alleged commission of offence. Learned counsel further submits similarly situated co-accused persons, namely, Rahmat Ansari, Rejaullah and Amjat Ansari have already been granted bail vide order dated 15.11.2022 passed in Cr. Misc No. 28625 of 2022.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the fact that petitioner is the mother of the co-accused and other similarly situated co-accused persons have already been granted bail, prima facie, it appears that petitioner has made out a case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of



learned ADJ-VI-cum-Special Judge (POCSO), Sitamarhi in
connection with Parihar P.S. Case No. 221 of 2021, subject to
the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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