

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28912 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Shila Devi W/O Sanjay Tiwari R/O Village- Sadullahpur, P.O- Darwan, P.S-
Ramgarh, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
16.03.2023 in connection with Ramgarh P.S. Case No. 69 of
2023, F.I.R. dated 13.03.2023 for the offences punishable under
Section 376(F) of the Indian Penal Code and Section 4 of
POCSO Act.

4. According to prosecution case, the accused persons
are father and mother of the 16 years old victim and these
accused persons forcibly administered Bhaang to the victim and
thereafter, Sanjay Tiwari, the father of the victim raped her and
the mother (petitioner) make the victim bath and washed the bed



sheets and cloths in order to hide the evidence.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner is the mother of the informant (victim).

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the allegation as alleged in the F.I.R and the statement of the victim recorded under Section 164 of the Cr.P.C. which was also supported by the medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Ramgarh P.S. Case No. 69 of 2023 pending in the court of learned Additional District Judge VI, Kaimur at Bhabua.

8. Prayer is refused.

9. However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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