

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36358 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- MAHILA P.S. District- Araria

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ASMIN @ ASMIN KHATOON Wife of Kurshed @ Khurshid R/O of village
MANIKPUR, W. NO. 09, P.S. ARARIA BAIRGACHHI O.P

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruhana Praveen Daughter of Late Touhid Resident of Village- Manikpur, W.
No. 9. PS- Baigachhi O.P., District- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 376(A)(B),
506/34 of the Indian Penal Code and Sections 4 and 6 of the
POCSO Act.

3. The allegation against the petitioner along with
others is of helping the other co-accused in committing rape
upon the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. She has
committed no offence. Petitioner is the cousin of the victim. He



submitted that the statement of the victim girl has been recorded u/s 164 of the Cr.P.C., wherein, she stated that the petitioner taken away her from her house in a field and fled away from there, and she specifically stated that one co-accused namely, Sabid was present there and he committed outrage the modesty and rape upon the victim girl forcefully. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. She is languishing in judicial custody since 28.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, period of custody as well as petitioner being a lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Mahila P.S. Case No. 63 of 2022.

(Sunil Kumar Panwar, J)

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