

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48774 of 2022

Arising Out of PS. Case No.-636 Year-2019 Thana- SARAIYA District- Muzaffarpur

Soni Devi Wife Of Sahendra Kumar @ Saindar Kumar @ Sahendra Mahto
R/O Village- Laxmipur Arar, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-02-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376, 506, 34 of the Indian Penal Code and Sections 3 /4 of the POCSO Act and Section 67 of the I.T. Act.

The prosecution case as per F.I.R is that when the informant aged about 12 years was going to cut grasses in the field and was passing through the way near the house of accused Daroga Kumar, she was called by petitioner, who is bhabhi of the main accused



Daroga Kumar and when the victim reached at her door, she was caught hold by the petitioner and she was taken inside the room where co-accused Daroga Kumar caught hold the victim and committed forceful sexual intercourse with the victim. It is alleged against the petitioner that she made the video of the incident and uploaded it on the social media.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. It is further submitted that for the alleged occurrence of 29.07.2019, the F.I.R was registered on 20.09.2019 without explaining the delay. The petitioner is a lady and the specific allegation of rape is against co-accused Daroga Kumar. The petitioner is languishing in custody since 22.06.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional District &
Sessions Judge-VII-cum-Special Court, POCSO Act,
West, Muzaffarpur in connection with Saraiya P.S. Case
No. 636 of 2019.

(Sunil Kumar Panwar, J)

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