

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49880 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- MAHILA PS District- Aurangabad

Babli Kumari @ Babli Devi Wife Of Late Rakesh Singh Residence Of Village
- Deo (Sandapur), P.S.- Deo, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-02-2023 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 341, 323, 504, 506, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case as per F.I.R is that co-accused Rohit Kumar who happens to be the cousin brother of the petitioner had committed rape and threatened the informant not to disclose anyone. The said Rohit Kumar continued forceful physical relationship with the informant, as a result of which, she became



pregnant. When the informant went to the house of Rohit Kumar along with her parents and told to get marry with her, he denied to perform marriage with her.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The petitioner is a widow lady and she has no concern with the alleged offence. The victim was in love with co-accused Rohit Kumar and when he denied to accept her as wife, she lodged the present case. The victim in her 164 Cr.P.C statement has not whispered a single word against the petitioner. The petitioner is languishing in custody since 14.07.2022.

Considering the fact that thrust of accusation is against co-accused Rohit Kumar 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-cum-Special Exclusive Judge, POCSO,

Aurangabad in connection with Mahila P.S. Case No. 21

of 2022.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

