

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57685 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- ABADPUR District- Katihar

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MANTUJA KHATOON @ MUNTEJA W/O - PECHU @ MD. PECHU @
MUKSED ALIREKHA KHATOON R/O - VILLAGE - CHANDPARA, P.S. -
ABADPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Abadpur P.S. Case No. 01 of 2023 dated 02.01.2023, instituted
for the offence punishable under Sections 323, 363, 376, 313,
504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the
informant/victim girl was in acquaintance with the accused
person, namely, Munna, who used to talk to her on the way
while going to school. About one year ago, the complainant was
alone in the house and other family members had gone out, in
the meanwhile, Munna suddenly came to the complainant's
house and started talking and in the course of conversation, he



forcibly dragged the victim girl inside the house by holding her hand and committed rape with her against her will on the assurance of marrying her. Thereafter, he established physical relation with her several times. After a few days, again the accused Munna brought the complainant to his house by cheating and took her signature on several plain papers and other accused persons gave her some medicine mixed in tea due to which the complainant lost her pregnancy of three months.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. It is further submitted that main allegation is levelled against co-accused Munna, who is son of the petitioner. It is further submitted that in the statement recorded under Section 164 of Cr.P.C. of the victim girl, there is no specific allegation against the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Abadpur P.S. Case No. 01 of 2023, the petitioner shall be



released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, Katihar, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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