

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62381 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- JHANJHARPUR District- Madhubani

Anita Devi Wife Of Harishchandra Mukhiya R/O Village - Ojhaul, P.S.-
Bhairavsthan, District – Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 15-05-2023 Heard Mr. Ashok Kumar, learned counsel appearing on behalf of the petitioner and Mr. Pranav Kumar, learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in connection with Jhanjharpur P.S. Case No. 125 of 2022 registered under Sections 376, 313, 315, 420, 120B and 34 of the Indian Penal Code and Section 4 & 6 of the POCSO Act.

3. The prosecution story, in brief, is that the accused persons named in the F.I.R. after committing wrong with the informant had forced her to abort fetus.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has no connection with the informant and co-accused Kamlesh Mukhiya who were in relationship and the Medical Board has ascertained the age of the informant to be 19 years. Learned counsel further submits that petitioner is a lady and sister-in-law of the co-accused and for the same reason she has been made accused to harass her.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that petitioner has been made accused in serious crime and as such she don't deserve to be released on anticipatory bail.

6. Having considered the rival submissions of the parties as well as determination of the age of the informant by the Medical Board to be 19 years and the fact that the petitioner has denied with respect to any role played by her in between informant and co-accused Kamlesh Mukhiya, the petitioner, above named, is directed to be released on anticipatory bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge (POCSO Court),



Madhubani in connection with Jhanjharpur P.S. Case No. 125 of
2022, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Purnendu Singh, J)

Mantreshwar
minu/-

--	--	--	--

