

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68431 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- LAURIA District- West Champaran

Afsana Khatoon D/O Jahir Miyan Village- Naya Basti, Gaunaha, Ps. Lauriya,
Dist. West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lauriya P.S. Case No. 128 of 2023, lodged on 19.05.2023, under
Section 376 of the I.P.C. and Sections 4, 6 and 8 of the POCSO
Act.

3. As per the prosecution case, the FIR has been
lodged against one named accused other than the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He
submits that in the FIR her name has not figured but during
investigation it has come that the accused and informant's
daughter used to meet with the help of the present petitioner and
due to this reason police has filed charge sheet against the



petitioner. Counsel for the petitioner submits that antecedent of the petitioner is clean and she is in custody since 31.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that in the FIR petitioner is not named and petitioner's name surfaced during investigation.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge (POCSO), West Champaran, Bettiah, in connection with Lauriya P.S. Case No.128/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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