

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4817 of 2023

Arising Out of PS. Case No.-50 Year-2022 Thana- MAHILA PS District- Buxar

NEHA DEVI WIFE OF SHALU KURAISHI, R/O MUHALLA-
DUMRAON, P.S.- DUMRAON, DISTRICT- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Mahila P.S. Case No. 50 of 2022, registered for offence punishable under Section 376 (D) of the Indian Penal Code and Section 6 of the POCSO Act.

The learned counsel for the petitioner has submitted that the petitioner is a lady and the allegation of rape is against Shivam, Vikky and Sachin. She is wife of Nandlal Yadav and she is not named in the FIR. She has been made accused for the reason that the victim has stated in her statement under Section 164 of the Code of Criminal Procedure that the petitioner was also with co-accused Shalu Kuraishi. The petitioner is a lady of



clean antecedent and is under custody since 07.09.2022.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Buxar in connection with Mahila P.S. Case No. 50 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Mahesh/-

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

