

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81295 of 2023

Arising Out of PS. Case No.-318 Year-2021 Thana- RIGA District- Sitamarhi

Runam Devi W/O Raushan Kumar @ Raushan Kumar Raut R/O Village-
Bhagwanpur, P.S- Bathana, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 346, 366A, 376, 506 and 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. Allegation against co-accused person, namely, Gautam Kumar Raut is that he committed rape with the informant/victim on the pretext of solemnization of marriage in connivance with this petitioner along with others. It is further alleged that they demanded Rs. 2 lacs along with one motorcycle and gold chain for marriage.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence. She has falsely been implicated in this case. There is delay of 41 days in lodging the FIR without explaining the same. There is no specific overt act of commission of rape against the petitioner with the victim rather the allegation of rape is against co-accused, namely, Gautam Kumar Raut who committed rape with the victim on the pretext of marriage. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 23.12.2022 in Cr. Misc. No. 44512 of 2022. Moreover, she is languishing in judicial custody since 16.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts that petitioner being a lady and her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Riga P.S. Case No. 318 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction



of learned A.D.J. VI, Sitamarhi.

(Sunil Kumar Panwar, J)

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