

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12072 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- TANDWA District- Aurangabad

Soni Devi W/o Ranjan Mehta R/o Village- Harihar Urdana, P.S.- Tandwa,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
Spl. PP. for the State.

2. The petitioner apprehends his arrest in Tandwa P.S.
Case No. 123 of 2022 registered for the offences punishable
under Sections 376, 420, 504, 506/34 of the I.P.C. and Sections
3(i)(r)(s), 3(2)(v-a) of the SC/ST Act, pending in the Court of
learned Additional Sessions Judge-VI-cum-Exclusive Special
Judge POCSO Act, Aurangabad.

3. Earlier by order dated 11.04.2023 passed in Cr.
Misc. No. 6562 of 2023, the prayer for anticipatory bail of the
petitioner was rejected. Now, she has renewed her prayer for
anticipatory bail.

4. The allegation against the petitioner is that she is
involved in aiding and abating the offence of penetrative sexual
assault with a minor girl aged about 16½ years.



5. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. The allegation levelled against the petitioner is general and omnibus in nature. He submits that merely the perusal of the F.I.R. will go to show that the name of the petitioner has been taken in sweeping way which cannot establish the offence in itself. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Per contra, learned APP for the State vehemently opposing the bail petitioner submitted that the allegations levelled against the petitioner is serious in nature, hence, she does not deserve privilege of anticipatory bail.

7. In such view of the matter and considering the judgment of Hon'ble Apex Court in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC online SC 176*, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not inclined to entertain her prayer once again.

8. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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