

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35178 of 2024

Arising Out of PS. Case No.-671 Year-2023 Thana- BUXAR District- Buxar

Rewati Kumari, W/O Subhash Kumar R/O 55, Bhaisasur, Biharsharif, Distt-
Nalanda, Bihar, 803101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Y. C. Verma- Sr. Advocate
	Mr. Praveen Kumar- Advocate
For the Opposite Party/s :	Mr. Raj Ballabh Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-11-2024 1. Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of her arrest in a case registered for the offences punishable under Sections 341, 323 of the Indian Penal Code, Section 12 of the POCSO Act and Section 75 of the Juvenile Justice Act.

3. The learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and being Superintendent of Remand Home has been implicated in the instant case by one Navin Kumar, who had sent a written complaint to National Commission for Protection of Child Right on 10.11.2023 based on which, an inquiry was conducted in which it transpired that the petitioner had rubbed chilly powder on private parts of a differently abled



boy.

4. The learned senior counsel for the petitioner submits that the matter was inquired by a three member committee constituted by the Director, Social Welfare Department, Government of Bihar. It is submitted that three men committee submitted its report contained in Letter No.9 dated 19.12.2023 to the Depute Development Commissioner, Buxar (Annexure-7) wherein it has been recorded that the petitioner being Superintendent of the Remand Home has been falsely implicated in the instant case by the Juveniles at the instance of one Juvenile Ramjan, who is also presently residing in the Remand Home in connection with of a case and recommendation has been made to transfer Ramjan from the said Remand Home to some other Remand Home. It is next submitted that even the doctors had medically examined the victim and found nothing abnormal on the private part of the alleged victim as would manifest from Annexure-4 to the anticipatory bail application. It is next submitted that Psychologist Kumari Anuradha of Sadar Hospital, Buxar had also examined the victim along with other juveniles and from perusal of her report dated 16.11.2023 annexed as Annexure-5, it would manifest that the name of the victim figures at Serial-11



and front of the name of the victim, it is recorded that *Senseless Smiling. Behavior as it is*. It is also submitted that since the complainant was aware about the mental condition of the victim, as such, he chose the victim as an easy target for implicating the petitioner. The learned counsel next submits that petitioner is a government servant and as such, will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Special Court, POCSO, Buxar in connection with Buxar P. S. Case No.671 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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