

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51613 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- MADHEPUR District- Madhubani

1. Tara Devi wife of Ram Charitra Mukhiya Village- Pachahi w.No-14, Ps- Madhepur Dist- Madhubani
2. Archana Devi @ Archana Kumari wife of Lalit Mukhiya Village- Pachahi w.No-14, Ps- Madhepur Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 376, 313 and 120B of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Sunil Mukhiya trapped the minor daughter of the informant in his love and established physical relationship with her. When the victim became pregnant then the co-accused, Sunil Mukhiya said that he would marry her. On 06.06.2023, the co-accused, Sunil Mukhiya came under pressure from his parents and got married at another place. Thereafter, the petitioner and the co-accused



persons got the victim's seven months pregnancy aborted at Ramchandra Hospital and kept the victim at their home.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are ladies. The specific allegation is against the co-accused, Sunil Mukhiya and he is in custody. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged offence. The co-accused has been granted regular bail by this Court vide order dated 14.05.2024 in Cr. Misc. No. 34448 of 2024. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated the name of the petitioners in the crime as alleged.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the



like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Madhepur P.S. Case No. 243 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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