

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3732 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- MAHUA District- Vaishali

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BUDHNI DEVI W/o- SHANKAR MAHTO Village- Madhoul Ps- Mahua Po-
Madhoul Dist- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Smita Kumari

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-12-2024 Heard learned counsel for the petitioner and learned APP
appearing on behalf of the State as well as learned counsel for
the informant.

2. The petitioner apprehends her arrest in connection with
Mahua P.S. Case No. 175 of 2023 registered under Sections
504/506/376/34 of the Indian Penal Code and Section 4/6 of the
POCSO Act and Section 9(i)(w)(2)(v) of the SC/ST Act.

3. Learned Additional Public Prosecutor appearing on
behalf of the State has vehemently opposed the prayer for bail.

4. As per the prosecution case, one Shankar Mahto has
committed rape with a child. He is in jail. The petitioner is the
wife of Shankar Mahto.

5. The allegation against her is of abusing the family
members of the victim.



6. Considering the allegation, this application is allowed and the order dated 23.06.2023 passed by the Additional District and Sessions Judge 6 cum Special Judge POCSO, Hajipur, Vaishali in ABP No. 1164 of 2023 arising out of Mahua P.S. Case No. 175/2023 is hereby set aside.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO, Hajipur, Vaishali in connection with Mahua P.S. Case No. 175 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sandeep Kumar, J)

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