

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79792 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- MAHILA PS District- Darbhanga

Chandani @ Chandani Devi Wife of Sonu Kumar @ Chandrabhushan Kamati
R/o -Village- Chhapkahi, P.S - Bisfi, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Sulaina @ Kajal Kumari D/O- Late Jogi Mukhiya R/O- village- Manchi,
Lagama, Ward No. 02, P.S.- Khojari, Distt.- Dhausa, Nepal
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-12-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Mahila P.S.case No.86/2024 registered for the offences
punishable under Sections 64, 115(2), 126(2), 351(2), 303(2),
3(5) of Bhartiya Nyay Sanhita, 2023 and Sections 4 and 6 of
POCSO Act.

3. As per the allegation made in the FIR, the
petitioner's husband allured the informant and committed wrong
with her.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is wife of the main
accused against whom the allegation has been levelled. Learned
counsel further relying on the Bhartiya Nyay Sanhita has
submitted that no case is made out against the petitioner.



Petitioner has no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge (POCSO), Darbhanga/concerned court, in connection with Mahila P.S.Case No.86 of 2024, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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