

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82071 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- TIKAPATTI District- Purnia

Nutan Devi @ Nutan Kumari Wife Of Prakash Sah R/O Village- Tin Tanga,
P.S.- Tikapatti, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends her arrest in a case registered for the offence under Sections 376, 313 of the Indian Penal Code, Sections 4 / 6 of the POCSO Act and Section 3 (2) (v) of the SC/ST (Prevention of Atrocities) Act.

3. As per the prosecution case, this petitioner is alleged to have terminated the pregnancy of daughter of the informant.

4. It is submitted on behalf of petitioner that specific accusation of sexual assault is against co-accused Manoj Jaiswal. The victim, in her statement, has categorically stated that on the pretext of marriage, co-accused Manoj Jaiswal established physical relation with her and when she became pregnant, co-accused Manoj Jaiswal gave some pills to her and



when her condition deteriorated, she was brought to the house of this petitioner, who is a Asha Worker. It is further submitted that petitioner tried her best to save the foetus, but since the condition was serious, the foetus could not be saved. The allegations, made under the POCSO Act and SC/ST Act, are not attributed to this petitioner. Petitioner is lady and has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII cum Special Judge, POCSO Act, Purnia in connection with Tikapatti P.S. Case No. 79 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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