

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30995 of 2025

Arising Out of PS. Case No.-151 Year-2023 Thana- SAKRA District- Muzaffarpur

Reena Devi W/o Chandan Patel R/o Village- Haripur Krishna, P.S.- Sakra,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Satyendra Narain Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-05-2025 Heard Mr. Sunil Kumar Pandey, learned Advocate for
the petitioner and Mr. Satyendra Narain Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Sakra P.S. Case No. 151 of 2023, registered for the
offences punishable under Sections 376(D), 120(B) of the
Indian Penal Code and Section 67(A) of the I.T. Act.

3. Based upon the written report, the prosecution
alleges that while the informant went to the house of her relative
for few days, in the meanwhile, when her daughter was alone in
the house, during that period co-accused persons, including the
petitioner, came at her house and got some indecent video
prepared and later on it is alleged that co-accused Sanjeev
Kumar committed rape upon her.



4. Learned Advocate for the petitioner taking this Court to the FIR contended that the entire allegation revolves around co-accused Sanjeev Kumar with whom the victim later solemnised marriage. The occurrence as alleged in the FIR took place six months ago and the FIR came to be lodged after much delay. In fact in the entire FIR, no role has been assigned to the petitioner as to how she participated in the crime. The statement of the victim was recorded under Section 164 Cr.P.C. wherein she has not stated anything against the petitioner. The victim is said to be major. With respect to one of the co-accused, namely, Arti Devi, who was apprehended during course of investigation and put to trial. Subsequently, she was acquitted by the learned Additional Sessions Judge-cum-Special Court-3 vide judgment dated 25.08.2023, copy of which is marked as Annexure-P/3. Even in trial, the deposition of the victim was recorded and she has not made any whisper about any one. It is lastly contended that the petitioner is a lady having fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that there are serious allegations against the petitioner and others.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the



FIR, coupled with the statement of the victim recorded under Section 164 Cr.P.C. as also the judgment passed by the learned Special Court, POCSO Act, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No. III (dealing with rape cases and cases under the POCSO Act, 2012), Muzaffarpur in connection with Sakra P.S. Case No. 151 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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