

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38075 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- BYPASS District- Patna

Manorma Devi W/O Late Bishwanath Ram @ Vishwnath Ram Resident of
Servant Qtr Room No. 9, P.M.C.H At Present- Gaighat, Koeritola, P.S-
Alamganj, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari W/O Mr. Bittu Kumar R/O Village- Baikatpur, P.S-
Khushrupur, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Shraddhanand Paswan, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection
with Bypass P.S. Case No. 39 of 2025 for the offence registered
under sections 376, 313, 506, 328, 34 of the IPC lodged on
30.01.2025 by the informant, Soni Kumari.

3. As per the prosecution story, she is a married lady
and allegation is that when her husband left for work, his friend,
Yash Raj @Rakesh Kumar came to her house. After providing
her a sweet which was laced with medicines, upon consuming,
she became unconscious whereafter, he committed rape. The
audio and video photographs were also prepared and showing



the same, he continued establishing relationship. In the process, the lady became pregnant, which followed the abortion at PMCH with the help of this lady who is working with the said hospital and is mother of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that main allegation is against her son, Yash Raj, only because she is an employee of PMCH and is on the verge of retirement, she has been dragged in the case, the lady has not provided any date when she visited PMCH.

5. Learned APP for the State, Mr. Bharat Bhushan on the other hand, opposes the prayer for anticipatory bail submitting that allegation is that she has helped in abortion.

6. Though allegation is there, the petitioner has rightly pointed out that the dates are missing, allegation is against her son, the petitioner is a lady, working in PMCH, has undertaken to diligently appear in trial, in that background, this Court is inclined to grant her the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class,



Patna City in connection with Bypass P.S. Case No. 39 of 2025
subject to condition as laid down under Section 438(2) of the
Cr.P.C.

(i) one of the bailor should be the family
members/relatives of the petitioner, who shall provide official
document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of her bail
bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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