

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46348 of 2025

Arising Out of PS. Case No.-206 Year-2025 Thana- RAJAOLI District- Nawada

Imrana Khatoon W/o- Md. Safique Ansari Village- Jogiyamaran Ps- Rajauli
Dist- Nawada

... .. Petitioner

Versus

1. The State of Bihar
2. Jainab Praveen D/o- Md. Safique Ansari Village- Jogiyamaran Ps- Rajauli
Dist- Nawada

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hafiz Shahbaz Arif, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Despite service of notice, none appeared on behalf
of the informant.

3. The accused-petitioner, named in the F.I.R., is
apprehending her arrest in connection with Rajauli P.S. Case
No. 206 of 2025 registered for the offences punishable under
Sections 64(1), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in
short, the 'B.N.S.') and section 4 & 6 of the POCSO Act.

4. As per FIR, husband of the petitioner, who is father
of the victim, committed penetrative sexual assault/rape upon
her. On the date of occurrence the victim, as per school



certificate, was minor and less than 18 years .

5. Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation is available against the father of the victim and nothing incriminating material surfaced against the petitioner, who is step-mother. It is submitted that from the statement of the victim recorded under section 183 of the B.N.S.S. it can be safely gathered that this petitioner was not aware about the occurrence as committed by her father. Petitioner is a lady of clean antecedent.

6. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as the thrust of allegation as to commit penetrative sexual assault is available against father of the victim, where implication of this petitioner *prima facie* appears being step-mother, who is a lady of clean antecedent, accordingly, above-named petitioner, in the event of her arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail



bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Nawada/concerned court in connection with Rajauli P.S. Case No. 206 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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