

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46513 of 2025

Arising Out of PS. Case No.-908 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Jyoti Kumari @ Joyti Kumari D/O Baranath Ram @ Barnuth Ram R/o Village- Pipariyan, PS- Mohania, District- Kaimur at Bhabua, at present W/o Anil Kumar, R/O Village-Chhotki Bhadhari(Bharari Khurd), PS-Chand, Distt-Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/O Sudama Ram R/o Village- Pipariyan, PS- Mohania, District- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-08-2025 Heard Mr. Parwej Khan, learned counsel for the petitioner and Mr. Narendra Kumar Singh, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with Mohania P.S. Case No. 908 of 2023 instituted for the offence under Sections 376 and 120(B) of the Indian Penal Code and Section 4 of the POCSO Act.

3. The case of the prosecution is that the petitioner took the minor daughter out of her house and administered a poisonous object. When the informant returned from duty, she came to know from her daughter that she was being sexually



assaulted.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. She has falsely been implicated in this case. He also submits that in this case, after investigation, the police have submitted the final form, and the learned trial court has taken cognizance under Section 366 of the I.P.C. The petitioner is said to be the informant's agnate, and she was falsely implicated in a hand pump dispute. He next submits that in medical examination, no sign of sexual assault was found. Moreover, the police has submitted the final form and cognizance is not a material for consideration of bail. It has lastly been submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of her arrest or surrender in connection with Mohania P.S. Case No. 908 of 2023, she will



be enlarged on bail on furnishing bail bond of Rs. 10,000/-
(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of learned District & Additional Sessions
Judge-VI-cum-Special Judge, POCSO Act, Kaimur at Bhabua,
subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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