

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53671 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- MAHILA PS District- Khagaria

Rinku Kumari @ Rinku Devi W/o Indal Kumar R/o Mohalla - C-60/181,
Priya Darshani Colony, Railway Line Jhuggi Qutab Road, Sadar Bazar, Nelhi
GPO, Distt.- North, Delhi, Presently D/o Tilo Mahto, R/o vill - Rajendra
Nagar, ward no. 29, P.S.- Chitragupta Nagar, Distt.- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari W/o Sarbin Yadav R/o vill - Rajendra Nagar, ward no. 29,
P.S.- Chitragupta Nagar, Distt.- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 64,
115(2), 351(2), 351(3) and 3(5) of the BNS, 2023 read with
Section 6 of the POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman
and the informant alleges that petitioner came and called her
minor daughter aged about 15 years, when informant
objected, but her daughter accompanied the petitioner at 09:00



PM on 06.02.2025, further her daughter on 07.02.2025 came at 05:00 AM and complained of pain in her private parts and disclosed that petitioner gave her water to drink and she became unconscious, further Prince was also in the house thereafter the informant went to the house of Prince and accused him of raping her daughter, on which petitioner and Prince assaulted her.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner is own sister of Prince and is married to Indal and lives at her matrimonial home, it is further submitted that the petitioner had come to meet her parents and brother when the occurrence is alleged to have taken place. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant alleges that petitioner came to her house and called her daughter and thereafter her daughter accompanied at 09:00 PM on 06.02.2025, but did not return in the night, but still the informant did not come to the house of the petitioner looking for her daughter, which amply demonstrates that the victim never came to the house of the petitioner or else informant would have come looking for her. The learned



counsel next submits that it does not appear probable that petitioner being elder sister would have connived with her younger brother and would have allowed him to commit such an occurrence. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove her innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No. 04 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in



the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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