

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58306 of 2025

Arising Out of PS. Case No.-318 Year-2021 Thana- RIGA District- Sitamarhi

Sundar Kumari @ Nisha Raut W/O Santosh Kumar Resident of village-
Bhagwanpur, P.S.- Bathanaha, District.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar.
2. XXX D/O Sanjay Raut, Resident of village- Shivnagar, P.S.- Riga, District.-
Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Umesha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Riga P.S. Case No. 318 of 2021 in a case registered for the
offences punishable under Sections 346, 366A, 376, 506 and 34
of the Indian Penal Code and under Sections 4 and 6 of the
POCSO Act.

3. As per prosecution story, the co-accused Gautam
Kumar Raut, giving allurement of marriage to the informant,
entered into love affair with her. On the date of occurrence, the
co-accused along with these two petitioners, who are his
parents-in-law and other co-accused persons forcible took away



the informant in a four wheeler and the co-accused committed rape with her on a number of occasions. He also told her that he would solemnize marriage only after getting Rs. 2,00,000/- in cash and a motorcycle and a gold chain in dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has committed no offence. Petitioner is the sister of co-accused Gautam Kumar Raut. There is a delay of 41 days in lodging of the present FIR without giving any explanation for the said delay. There is no specific allegation against this petitioner and she has falsely been implicated in the present case merely because she happens to be the sister of Gautam Kumar Raut. Similarly situated co-accused persons namely, Gonour Raut and Meena Devi, Runam Devi and Raushan Kumar have been granted bail by various co-ordinate Benches of this Court *vide* orders dated 23.12.2022, 18.12.2023 and 31.08.2022 passed in Cr. Misc. No. 44512 of 2022, Cr. Misc. No. 81295 of 2023 and Cr. Misc. No. 37987 of 2022 respectively. Petitioner is in custody since 28.05.2025 and claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the aforesaid facts and



circumstances of the case and petitioner’s period of custody and the fact that she is a lady, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV-cum-Exclusive Special Judge (Rape & POCSO Act), Sitamarhi, in connection with **Riga P.S. Case No. 318 of 2021.**

(Prabhat Kumar Singh, J)

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