

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70319 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- MAHILA P.S. District- Samastipur

SAVITRI DEVI W/o Lakshman Chaudhary R/o Village- Purnahi, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Kumari, W/O- Dinesh Chaudhary R/O- Village- purnahi, Ward no. 06,
P,s.- warisnagar, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Om Prakash Om, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-04-2025 Heard learned counsels for the parties.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 420, 120B, 341, 376 and 504 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per prosecution case, allegation against this petitioner is that she brought the victim to a hotel where it is alleged that co-accused *Pawan Pandit* committed rape with her.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has



committed no offence. As per F.I.R., date of occurrence is 01.08.2023 whereas the present F.I.R. has been lodged after inordinate delay of one month on 02.09.2023 and there is no plausible explanation for the same. Victim is a major and the medical report does not show any signs of sexual assault which itself falsifies the entire prosecution case. During course of investigation, the police did not find any evidence regarding entry of the victim and this petitioner at the alleged hotel. Petitioner is a lady and claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation, delay in lodging of the F.I.R. and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-6th, Samastipur in



connection with Mahila P.S. Case No. 83 of 2023, subject to
condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

