

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84264 of 2024

Arising Out of PS. Case No.-451 Year-2024 Thana- MUFFASIL District- West Champaran

Muskan Khatun @ Tasnna Khatun @ Tamna Khatun @ Muskan Wife of
Jahangir Ansari @ Jahangir Alam @ Jahangir Khan Vill.- Tikuliya, PS-
Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md Nathuni Son of Late Md Isak @ Late Mohamad Ishak Vill.- Beldari, PS-
Mufassil Bettiah, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Gupta, Adv
For the Informant	:	Mr. Sharad Kumar Verma, Adv
For the Opposite Party/s	:	Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 30-04-2025 Heard Mr. Umesh Kumar Gupta learned Counsel for
the petitioner and Mrs. Pushpa Sinha learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bettiah Muffasil P.S.
Case No. 451 of 2024 registered for the offences punishable u/s
137(2), 64(1), 3(5) of the B.N.S. and Section 4 of the POCSO
Act.

3. As per the prosecution case, on 13.08.2024 at about
10:00 A.M., the daughter of the informant was lured by the co-
accused Jahangir Khan and had hidden her in his house. It was
further alleged that the wife of the co-accused Jahangir Khan,
namely, Muskan Khatoon (petitioner) was instrumental in



keeping the victim girl confined within the house and she had helped the co-accused Jahangir Khan to commit rape upon the daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the victim girl in her statement made u/s 180 and 183 of the BNSS, had stated that she had gone on her own will, however, she had alleged that the husband of the petitioner had committed rape while the petitioner was said to have locked the door. Learned counsel for the petitioner has drawn the attention of this Court toward the medical report of the victim girl wherein it is stated that there is no recent sign of sexual activity, which falsified the claim made in the FIR as well as the statement given by the victim. It is lastly submitted that the petitioner has clean criminal antecedents and is in custody since 17.08.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner was an accomplice of her husband and had confined the victim in her house and allowed her husband to commit rape upon the victim girl.

6. Considering the aforesaid submissions of the



parties and taking into account the fact that the petitioner who happens to be the wife of the co-accused Jahagir Khan and the fact that the medical report does not substantiate the allegation which has been made by the informant as well as the victim coupled with the fact that the petitioner is in custody since 17.08.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah in connection with Bettiah Muffasil P.S. Case No. 451 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

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