

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87181 of 2024

Arising Out of PS. Case No.-546 Year-2024 Thana- DHANARUA District- Patna

Renu Devi W/o- Kaushlendra Kumar Village- Kaili PS- Dhanarua Distt- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari W/o- Kaushal Kumar Village- Kaili PS- Dhanarua Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh, Adv.
For the Opposite Party/s : Mr. Nityanand Tiwary, APP
For the Informant : Mr. Mukesh kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioner and Mr. Nityanand Tiwary learned APP for the State as also learned counsel for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with Special Case No. 267 of 2024 arising out of Dhanarua P.S. Case No. 546 of 2024 instituted for the offences under Sections 64(1), 308(2), 351(3), 123, 61(2) of the B.N.S. and Section 3/4 of the POCSO Act, 2012.

3. As per prosecution case, the accusation against the



petitioner is of being involved in the conspiracy and participating in the incident of rape of the 14.5 years old Informant's daughter by the co-accused Subodh Ram.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case. The petitioner has not committed any offence as alleged in the F.I.R. The petitioner is a lady. Learned counsel for the petitioner submits that there is no medical report of the victim. Learned counsel for the petitioner submits that there is no mentioning of any date of occurrence in the F.I.R. which creates doubt in the veracity of the prosecution case. He further submits that the specific allegation of committing rape is upon the co-accused Subodh Ram. The only allegation against the petitioner is of being a member of conspiracy. There is no allegation of either demanding money or threatening against the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The victim girl in her statement



recorded under Section 180 of the B.N.S.S. has supported the prosecution case. Different witnesses have also supported the prosecution case. Charge-sheet has been submitted in this case against the petitioner and co-accused Subodh Ram. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the petitioner being lady, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 267 of 2024 arising out of Dhanarua P.S. Case No. 546 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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