

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17837 of 2026

Arising Out of PS. Case No.-47 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Sambida Khatoon @ Samida Khatoon W/o Md Rizvan R/o vill- Madhopara
Mushari Tola Verma Cell Road, Thana- Sahayak Khajanchi, at present R/o
Pakariya, Thana- Kasba, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Y R/o vill - Prabhat Colony, ward no. 30, P.S- K. Hat, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends her arrest in a case registered
for the offence punishable under Sections 127(2), 115(2),
65(1)61(2), 352, 351(2) B.N.S 2023 and 06 of Pocso Act 2012.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman and
the informant alleges that Gullu along with his three friends
came and said that her elder sister's friend is ill, thus they have
come to pick up, accordingly she sat with Gullu on his bike, but
Gullu instead of taking her to the house of Ayushi, that is friend
of her sister, took the informant to the house of his aunt, that is,



petitioner, where Gullu, his aunt, sister and mother came and sent the informant to another place, thereafter, they took them in a tin house and left the informant alone with Gullu, further she remained there in late night as Gullu disclosed that her sister's friend is being treated by doctor, thereafter, Gullu raped her forcefully and the next day, Tanweer, Aman and Shanu dropped her near GMCH.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is falsely implicated in the instant case by the informant, it is further submitted that the allegation as alleged with regard to petitioner, mother and sister of Gullu does not inspire confidence, it is also submitted that it does not appear probable that mother, sister and aunt of Gullu would have left informant and Gullu in a tin house, allowing Gullu to commit rape, it is next submitted that Gullu and the victim were in love, as such informant had come to meet him but under parental pressure, the instant false case came to be instituted implicating the family members of Gullu, it is next submitted that even presuming what has been alleged is true without admitting that thrust of the allegation is against Gullu.

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



6. After hearing the learned counsel for the parties, let the petitioner, as named above, in the event of her arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned D.A.S.J 6th Cum Special Judge(POCSO), Purnea in connection with Sahayak Khazanchi P.S. Case No. 47 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Satyavrat Verma, J)

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