

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35117 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

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1. Afroza Khatoon @ Ma Afroza Khatoon W/o Nasiruddin Resident of
Village - Chikani, P.S. & District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 27-08-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends her arrest in connection with
Araria Mahila P.S. Case No. 17 of 2015 registered for the offences
punishable under Sections 313, 376, 493/34 of the Indian Penal
Code.

The son of the petitioner and the informant being in
love affairs established physical relationship resulting informant
became pregnant and thereafter, it is alleged that the petitioner
deceitfully gave medicine to the informant resulting in abortion.

Submission is of false implication and that good
sense has been prevailed between the parties and compromise
petition has also been filed in the court below. The doctor has not

found any sign of abortion and no offence under Sections 376 or 313 of the Indian Penal Code is made out against the petitioner and, as such, she deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above and considering that the doctor has not found any sign of abortion, the petitioner above named, in case of her surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Araria Mahila P.S. Case No. 17 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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