

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47188 of 2015

Arising Out of PS.Case No. -244 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. KAMRUN NESHA @ KAMRUNESH @ MOST. KAMARUNESH
Wife of Late Liyaquat Hussain, r/o. Jaukatiya Madarsa Tola, P.S.-
Majhauriya, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-11-2015 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends her arrest for the
offences alleged under Sections 366A/34 of the Indian Penal
Code read with Section 8 of the POCSO Act, 2012 registered in
connection with Majhauriya P.S. Case No. 244 of 2015.

3. It is submitted that the petitioner being a lady
has been falsely implicated as evident from the deposition of
the so called victim girl recorded under Section 164 Cr.P.C.,
stating that she had voluntarily solemnized marriage with
Saddam Hussain, the petitioner's son. The offence under
Section 8 of the POCSO Act, 2012 is not attracted against the



petitioner. There is delay in instituting the FIR on 26.05.2015 for the alleged occurrence of 22.05.2015. The accusations against the accused persons are general and omnibus in nature. The similarly situated co-accused have been granted anticipatory bail by this Court in Cr. Misc. No. 31699 of 2015 and Cr. Misc. No. 41228 of 2015.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhauriya P.S. Case No. 244 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioner shall cooperate with the investigation and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner will be well represented on each and every date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled by the Court concerned.

Vikash Jain, J)

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