

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47764 of 2015

Arising Out of PS.Case No. -192 Year- 2013 Thana -BRAHAMPURA District- MUZAFFARPUR

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Anokha Khatoon wife of Md. Hasmat Ali resident of Village- Damodarpur
Pathan Toli P.S. Kanti Dist-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in
Brahampura P.S. Case No. 192 of 2013 dated 30.08.2013
instituted under Sections 363/366A of the Indian Penal Code.

The allegation as per the fardbeyan against the
petitioner is that she was waiting for the daughter of the
informant and had abducted her along with four others on two
motorcycles.

Learned counsel for the petitioner submits
that she besides being a lady is the neighbour of the
informant and in the statement of the girl recorded under
Section 164 of the Code of Criminal Procedure, 1973 she has
given a contrary description of the event inasmuch as she has
stated that the petitioner also accompanied the victim girl on
the plea of going to the tailor and on the way she was

abducted and later on taken to the Court where she was married with co-accused Vikky. It is submitted that the petitioner has no role in the entire affairs and from the statement of the girl itself, it is clear that it is a case of love affairs. Learned counsel submits that even from the F.I.R. it is clear that the victim girl had informed the informant about her presence on 27.08.2013 and still the F.I.R. was lodged only on 30.08.2013.

Learned A.P.P. does not dispute the aforesaid position.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Brahampura P.S. Case No. 192 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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