

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25856 of 2016

Arising Out of PS.Case No. -79 Year- 2014 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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Hasbun Nesha @ Asbun Nesha Wife of Dildar Shekh Resident of village-
Bastha, Police Station- Mainatand, District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 20-08-2016

Heard both sides.

The petitioner apprehends her arrest in Gaunaha P.S. Case No. 79/2014, registered for the offences punishable under Sections 366(A), 370(A), 372 & 373 of the Indian Penal Code and 7, 11 of POCSO Act and 5 of Immoral Trafficking Act.

The informant alleged that the petitioner kidnapped his minor daughter aged about nine years and sold her.

It is submitted that the victim made her statement under Section 164 of the Cr.P.C. Name of the petitioner is not figured in the FIR. It appears that the informant is a consenting party and the father and mother of the victim had sent the victim with the petitioner.

From perusal of the statement of the victim, it appears that the victim aged about 15 years was kidnapped in the year 2008 and on

26th July 2014 she made her statement and disclosed that the petitioner took her for performing dance. After that the petitioner sold her for Rs. 17,000/-.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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