

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18081 of 2016

Arising Out of PS.Case No. -307 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

Sakila Khatoon, Wife of Ramzan Khan resident of village - Sohpur
Banjariya, Police Station Semara, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra

For the Opposite Party : Mr. Dr. M.K.Gautam(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Nautan P.S. Case No. 307 of 2014 for the offences punishable
under Sections 363, 366(A)/34 of the Indian Penal Code.

The Prosecution case is that the informant alleged in
her written first information report dated 08.12.2014 that at 11:00
p.m., on 1.12.2014 while her daughter Pratima Kumari, aged about
13-14 years had gone to ease out of the house, some unknown
human smuggler kidnapped her. When her daughter did not return,
she got information from her sources that Saheb Khan and his
mother Ainul Bano kidnapped her daughter by inducing her. She
stated that Saheb Kan was having wife and four children.



It has been submitted by the learned counsel for the petitioner that she is innocent and being sister of co-accused Saheb Khan, she has been falsely implicated in the present case. It has further been stated that petitioner has no criminal antecedent and Saheb Khan, who was the main accused has already been acquitted of charges in Trial No. 484 of 2015 on 08.03.2016 on the statement of the victim girl on examination, who stated that she knows the said co-accused Saheb Khan and that no occurrence as alleged had taken place with her. Learned counsel for the petitioner further submits that being the sister of co-accused Saheb Khan, she has committed no offence and no case under Sections 363 or 366 (A) of the Indian Penal Code is applicable against her.

However, the learned APP for the State submits that the petitioner is the sister of the co-accused hence, opposes the prayer for bail.

Be that as it may, since the main accused has already been acquitted in Sessions Trial, petitioner being the sister, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah,

District - West Champaran in connection with Nautan P.S. Case
No. 307 of 2014, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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