

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32169 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -AKBARPUR District- NAWADA

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Mosarrat Parveen @ Minu, daughter of Yakub Khan @ Mister, resident of
village Lohanipur, P.S. Akbarpur, Distt. Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Yogendra Kr. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Akbarpur P.S.

Case No. 159 of 2016 instituted for the offence under Sections
465, 467, 468, 471, 386, 120(B), 504, 354(D) and (ii) of the
Indian Penal Code.

It has been submitted that petitioner is a lady and
there is no allegation of any specific overt act against her.

As per written report, the complainant has fixed the
marriage of his daughter Nusrat Perween with Hassan Khan @
Hira and engagement was also performed and also the date of
marriage was fixed. On 6.7.2016 the family of groom side called
the complainant and showed the certificate of marriage of his
daughter with other person and some obscene picture on Whatsap.
On searching the message on whatsapp, it was found that the



marriage of his daughter was performed on 1.7.2015 in the premises of Civil Court, Nawada with Niyaz Khan, son of Yakub Khan.

Learned Sessions Judge has mentioned in the impugned order that daughter of the informant Nusrat Perween has stated in her statement under Section 164 Cr. P.C. that sister of Neyaz Khan namely, Musarrat Parveen (petitioner) used to visit her house and she took photograph of the daughter of the informant and thereafter, a message was sent on phone by Niyaz Khan. In this manner, there is no allegation of any specific overt act against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Akbarpur P.S. Case No. 159 of 2016 arising out of Complaint Case no. 883 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Nawada , subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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