

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45174 of 2017**

**Arising Out of PS.Case No. -216 Year- 2017**  
**Thana -BAJPATTI District- SITAMARHI**

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Munni Khatoon @ Najamun Nisha, Wife of Late Md. Dawood, R/o  
Village- Muraul, P.S.- Bajpatti, District- Sitamarhi .... Petitioner

Versus

The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner : Sri Ashok Kumar Jha, Advocate

For the Opposite Party : Smt. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      19-09-2017      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the  
offence under sections 363, 366A, 376 and 120B/34 IPC.  
Informant alleges that the petitioner took her to Mumbai on  
allurement of marrying her with her (petitioner's) grand son.

Counsel for the petitioner submits that the police after  
investigation found the case to be true under sections 498A and  
363 IPC. Further, the informant, aged about 22 years, had gone  
to Mumbai on her own sweet will where she performed marriage  
but did not sign the Talaknama due to some difference with her  
husband. He further submits that the petitioner is 80 years old  
lady and is languishing in custody since 26.7.2017 and prior to  
the lodging of this case, no other case is pending against her.

In view of the aforesaid submissions, let the petitioner  
as mentioned above be released on bail on furnishing bail bond  
of Rs.10,000/- with two sureties of the like amount each to the  
satisfaction of the Sub Divisional Judicial Magistrate, Pupari at  
Sitamarhi in Bajpatti Police Station Case No. 216 of 2017 on the



following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with her. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if she is, she shall not be released on bail.

(c) The bailor shall also state on affidavit that he/she will inform the court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that she will receive the police papers on the given date and be present on date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

Shashi.

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