

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11759 of 2017**

Arising Out of PS.Case No. -102 Year- 2016 Thana -RAXAUL District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Mehan Khatoon Wife of Shahid Mian, Resident of Village- Ahirwan  
Tola, Ward No. 7, P.S.- Raxaul, District- East Champaran.

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      22-03-2017                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner apprehends his arrest in Raxaul P.S.  
case no. 102 of 2016 instituted for the offence under Sections  
366A/34 of Indian Penal Code.

It is submitted on behalf of petitioner that he is the  
mother of main accused Fulmohammad Mian. The victim has  
already been married with Fulmohammad Mian and she is living  
with him which is clear from her statement under Section 164 of  
Code of Criminal Procedure.

As per written report, the petitioner and other  
accused persons have kidnapped his minor daughter. After  
recovery of the victim girl, her statement was recorded under



Section 164 of Code of Criminal Procedure (Annexure-2) where she has specifically stated that she has married with Fulmohammad Mian, son of this petitioner and living with him at Delhi as husband and wife. They have also performed court marriage in Gaziabad. The girl has stated her age as 22 years in her statement recorded under Section 164 of Code of Criminal Procedure whereas court has assessed her age as 18 years.

Considering the aforesaid 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 Raxaul P.S. case no. 102 of 2016, he shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Sanjay Priya, J.)**

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