

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.952 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -KOCHADHAMAN District- KISANGANJ

Mohtasim Sultana @ Motasim Sultana W/o Ahmad Hasan, R/o Village-
Andhasur, P.S.- Kochadhaman, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin, Advocate

For the Opposite Party/s : Smt. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-01-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Kochadhaman P.S. Case No. 132 of 2017 registered under
Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the date of birth of the petitioner is 01.06.1988.
Her father Noorul Islam had sworn an affidavit on 05.01.2007
mentioning this fact about the actual date of birth of the
petitioner. In her school leaving certificate also date of birth is
mentioned as 01.06.1988. Likewise, in her birth certificate,
01.06.1988 is shown as her date of birth. He submitted that this
case was lodged on 28.08.2017 much before that the petitioner



filed an application before the Child Scheme Welfare Officer, Kochadhaman on 28.02.2017 stating therein that correction be made in her date of birth which has wrongly been mentioned as 16.07.1991 instead of 01.06.1988.

On the other hand, learned counsel for the State submitted that the petitioner obtained appointment as Anganbari Sevika on the basis of incorrect date of birth recorded in the certificate issued by the Madarsa Board.

Be that as it may, regard being had to the submissions made above, the nature of allegation and the fact that the petitioner is reported to be a lady of clean antecedent, in the event of arrest or surrender in the court below within six weeks from today, she is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Kishanganj in connection with Kochadhaman P.S. Case No. 132 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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