

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2882 of 2018

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAHILA P.S. District- SITAMARHI

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1. Samina Khatoon W/o Md. Islam , R/o Village- Parsauni Bhelwa, P.S.-
Parsauni, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sitamarhi Mahila P.S.
Case No. 46 of 2017 instituted for the offence under Sections-376,
506/34 of the Indian Penal Code and 4/6 of POCSO Act.

It is alleged in the written report that Md. Saddam used to
establish physical relationship with the victim aged about 14 years since
prior to seven months of the date of filing of FIR on the pretext of
performing marriage with her.

The informant told about the occurrence to her parents who
organized Panchayati but Md. Saddam refused to marry with the
informant. The petitioner is said to be mother of Md. Saddam.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event
of her arrest or surrender in the court below within six weeks from the
date of receipt/production of copy of this order, shall be released on



bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Sitamarhi Mahila P.S. Case No. 46 of 2017 to the satisfaction of Sri K.K. Sinha, Additional District & Sessions Judge-I-cum-Special Judge, Sitamarhi subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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