

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37928 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -NAUGACHIA District- BHAGALPUR

=====

Nusrat @ Nusrat Jahan W/o Md. Samim, R/o Mohalla- Saharsa Basti, Ward
No. 31, P.S.- Saharsa, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 05-07-2018

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

The petitioner is apprehending her arrest in a
case registered for the offences punishable under Sections 366A/34
of the Indian Penal Code.

The prosecution case got initiated with the
written report of Srijit Sundaram dated 08.01.2018 submitted to the
Station House Officer, Naugachia P.S. which is to the effect that the
younger sister of the informant Neha Kumari went to Naugachia
Market on 07.01.2018 at 11.00 A.M., thereafter she but did not
return back. On enquiry it was found that Sahnawaz Alam was seen



taking the sister of the informant, with the intent of marriage, which was also assisted by the sister, the petitioner and other family members.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general. The thrust of accusation is against Sahnawaz. Since the petitioner is the sister of main accused Sahnawaz, hence, she has been maliciously roped in the present case.

Learned APP, however, submits that the victim in her statement under Section 164 Cr.P.C. has named the petitioner.

Considering the fact that from perusal of the FIR and the statement of the victim recorded under Section 164 Cr.P.C., the accusation of kidnapping does not inspire confidence, moreover, the victim got her age recorded as 17 years and the thrust of accusation is against Sahnawaz coupled with the fact that the petitioner is a lady, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd, Naugachia, Disgtrict – Bhagalpur in connection with



Naugachia P.S. Case No. 8 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

