

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7747 of 2020

Arising Out of PS. Case No.-167 Year-2019 Thana- PRANPUR District- Katihar

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HASINA @ HASINA KHATOON D/o Late Md. Dusad R/o- Sahanagar, P.S.-
Pranpur (Roshna), Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-06-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

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

This is an application for grant of anticipatory bail in connection with Pranpur (Roshna) PS case no. 167 of 2019 registered for the offences punishable under Sections 363, 365/34 of Indian Penal Code.

The allegation is regarding the petitioner being involved in kidnapping of the victim girl.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and the fact is that though she has not been named



in the FIR but she has been roped in the present case upon her name having transpired, after the victim girl has made her statement under Section 164 Cr.P.C. before the learned Magistrate, alleging therein that the petitioner had given her Maaza to drink, whereupon she became unconscious and when she regained consciousness, she found herself with the co-accused person namely Jigar, whereafter she fled away to Delhi with Jigar and then the said Jigar had subsequently brought the victim girl back to her house. It is submitted that there is no material in the case diary to suggest the complicity of the petitioner herein and moreover, if at all anyone is having complicity in the matter, it is the accused person namely Jigar who is stated to have kidnapped and taken the victim girl to Delhi.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having no criminal antecedent and moreover, there is no material in the case diary to connect her with the alleged crime, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of her arrest or surrender



before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Pranpur (Roshna) PS case no. 167 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall appear before the SHO of the concerned police station on every Monday of the week at 10 am and mark her attendance for a period of three months from today in order to enable the police to complete the investigation and in case of two consecutive defaults, the present privilege of anticipatory bail being extended to the petitioner herein shall stand revoked automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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