

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31737 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- PARSAUNI District- Sitamarhi

1. WAKILAN KHATOON Wife of Late Monif Nadaf R/o Village- Dema, Ward No. 9, P.S.- Parsauni, District- Sitamarhi.
2. Rukhsana Khatoon @ Rasana Khatoon Wife of Md. Sabir R/o Village- Dema, Ward No. 9, P.S.- Parsauni, District- Sitamarhi.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ashok Kumar Jha, Advocate.
For the State	:	Mr. Dilip Kumar No.1, A.P.P.
For the Informant	:	Ms. Madhubala Verma, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-12-2020 In view of the submission and undertaking of the learned counsel for the petitioners, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 24.11.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant, through Video Conferencing.

The petitioners seek bail in connection with Parsauni P.S. Case No.24 of 2020 registered under Sections 363 and 365



and, later on, added Sections 302 and 201/34 of the Indian Penal Code

The accusation is that in the evening of 21.03.2020, Md. Sabir Nadaf, the co-villager of the informant Naima Khatoon, came at the house of the informant and accompanied her son Md. Kabir Alam but the son of the informant did not return till 08.00 P.M. Thereafter, the informant went at the house of Md. Sabir Nadaf and made query about her son, then his mother Wakilan Khatoon (petitioner no.1) replied the informant that her son will come very soon but the son of the informant did not return till late night. When Md. Sabir Nadaf came at his house, then Md. Sageer, another son of the informant, made query to him about his brother, then he replied that Md. Kabir Alam will return very soon. On the next morning, when Md. Sageer, another son of the informant, went to the house of Md. Sabir Nadaf, he was not found at his house. The informant raised suspicion about kidnapping of her son Md. Kabir Alam and concealing him at a lonely place.

Learned counsel appearing on behalf of the petitioners submits that while the occurrence is said to be of 21.03.2020 but the present F.I.R. was lodged on 02.04.2020 and the dead body of the deceased Md. Kabir Alam was found on 05.04.2020 in a



pond. Thereafter, Md. Sageer, another son of the informant, wrote an application disclosing the name of the petitioners having hand in the kidnapping of his brother Md. Kabir Alam. Except suspicion, in course of investigation, nothing could be collected by the Investigating Officer of the case against the petitioners. The petitioners, who are ladies, are in custody since 05.04.2020.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar, Judicial Magistrate, First Class, Sitamarhi, in connection with Parsauni P.S. Case No.24 of 2020.

(Rajendra Kumar Mishra, J)

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