

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80704 of 2019

Arising Out of PS. Case No.-653 Year-2018 Thana- KISHANGANJ District- Kishanganj

SAHIBA KHATOON wife of Badrul Hak Resident of Village - Dakchin Tola
Salki, P.S. and District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection
with Kishanganj P.S. Case No. 653 of 2018 for the offence
registered under Sections 376, 313, 201 and 120(b) of the
Indian Penal Code.

The allegation is regarding the co-accused, namely,
Sarfaraz having raped the victim lady and when she became
pregnant, he had got the pregnancy terminated with the help of
his sister and brother-in-law.

The learned counsel for the petitioner has
submitted that the petitioner has been falsely roped in the
present case merely on the pretext of she being the step mother
of the co-accused, namely, Sarfaraz, however, no role has been



attributed in the alleged occurrence. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioner, I deem it fit and proper to grant anticipatory bail to the petitioner herein.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 653 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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