

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85145 of 2019

Arising Out of PS. Case No.-487 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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ROSHNI @ ROSHNI PRAVEEN D/o Md. Haroon @ Late Md. Haroon
Resident of Mohalla - Kalibag, Garwan Toli, Ward No.12, P.S.- Bettiah Town
(Kalibag O.P.), Distt.- West Champaran.

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arif Daula Siddiquie, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 30-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends her arrest in Bettiah Town(Kalibag O.P.) P.S. Case No.487 of 2019 registered under Sections 366A and 34 of the Indian Penal Code.

The informant alleged that on 20.06.2019, her both minor daughters left their house to participate in the birthday ceremony of their friend, Roshni(the petitioner) but her daughters did not return. On inquiry from the petitioner, she made evasive reply and also used abusive language. The informant made search but could not be able to trace out her daughters. The informant lodged the case alleging therein that with the help of the petitioner, someone must have kidnapped her minor daughters.

The learned counsel for the petitioner submits that



occurrence is said to have taken place on 20.06.2019 but the F.I.R. was lodged on 29.06.2019. The institution of the F.I.R. after nine days of the occurrence creates serious doubt about the veracity of the allegation made in the F.I.R. It is further submitted that both the daughters of the informant themselves went to Delhi and petitioner did not play any role. The case has been compromised and the compromise petition is filed which is annexed as Annexure-3 of the bail petition but it appears that one of the victims made her statement under Section 164 Cr.P.C. and she disclosed that she and her sister went to the house of the petitioner to celebrate her birthday party. The petitioner had called them on the pretext of birthday party although there was no birthday celebration. The petitioner offered the victims food and after taking food, they became unconscious. They were taken to Delhi. Shabina Khatoon, one of the daughters of the informant was forcibly married.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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