

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.439 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Noosrat Khatoon D/o Karimullah Kuraishi @ Karimmullah Quraishi @ Md.
Karim Kuraishii, R/o village- Bharpatia, P.S.- Manua Pool, District- West
Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Bettiah Town P.S. Case No.402 of 2019
registered for offence punishable under sections 366(A)/34 of the
Indian Penal Code and section 8 of POCSO Act.

Allegation has been made that the victim girl on
24.05.2019 at about 7 a.m. had gone for walk and she did not return.
Apprehension has been shown against Mustafa Kuraishi and his
father, Kallimullah Kuraishi, they have kidnapped the victim girl for
the purpose of marriage. The victim was returned on the same day
and her statement was recorded under section 164 Cr.PC. before the
Magistrate, as per the learned counsel for the petitioner, the victim
in her statement did not make any allegation against the present
petitioner.

It is alleged that it is the petitioner who had taken away



the victim girl to Mustafa Khuraishi and Mustafa Khuraishi took away the victim girl on motor cycle.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and she, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST/POCSO), Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.402 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.

(Shivaji Pandey, J)

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