

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28784 of 2021

Arising Out of PS. Case No.-409 Year-2020 Thana- SAUR BAZAR District- Saharsa

SAJO KHATOON @ SAJDA KHATOON W/O MD. MAHBOOB
RESIDENT OF VILLAGE-PATARGHAT WARD NO. 4, P.S.-SOUR
BAZAR (PATARGHAT O.P), DISTRICT- SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr. Kalyan Shanker, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 27-09-2021 Heard learned counsel for the petitioner and the State.
- Petitioner seeks regular bail in a case registered for the offence punishable under Section 363, 366A, 34 of the Indian Penal Code and u/s 4 of the POCSO Act.
- As per the prosecution case, this petitioner along with other accused persons kidnapped the minor daughter of informant for the purpose of marriage or other immoral purpose.
- Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner has been made accused in this case only because she is mother of co-accused, Md. Shaukat. Thrust of accusation is against co-accused, Md. Shaukat and petitioner has not played any role in kidnapping of minor daughter of informant. The victim in her statement u/s 164 of the Cr. P. C. stated that this petitioner snatched her clothes, ornaments and Adhar Card. Petitioner is in custody since 28.01.2021 and investigation in this case is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum- Special Judge, POCSO Act, Saharsa in connection with Sour Bazar PS case No. 409/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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