

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29997 of 2021

Arising Out of PS. Case No.-219 Year-2010 Thana- LAHERIYASARAI District- Darbhanga

HENA PARWEEN @ HEENA (HENA) PARWEEN D/O MR. MD. YUNUS
R/O ALINAGAR, P.S.-UNIVERSITY, DISTRICT-DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Sah, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-12-2021 Heard Mr. Rajeev Sah, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

Petitioner seeks regular bail in connection with
Laheriasarai PS Case No. 219/2010 registered for the offence
punishable under Section 366 of the IPC.

The First Information Report lodged by the informant
alleging therein that the daughter of the informant had left her
house on 25.05.2010 in order to visit her grandmother's house
but she did not reach there and became traceless. In the FIR, the
names of several persons have been mentioned by the informant
who, allegedly, kidnapped the informant's daughter.

Learned counsel for the petitioner submits that
petitioner is not named in the First Information Report. He



further submits that earlier anticipatory bail application was filed by the petitioner on the basis of apprehension which was rejected by this Court in Cr. Misc. No. 15227/2011 on 31.01.2012. He next submits that charge-sheet was submitted by the police on 28.02.2011 in which the petitioner was not sent for trial and one Md. Naiyar was charge-sheeted and the trial against him is going on. It is further submitted that in the year 2014, an application under Section 319 CrPC was filed before the trial court for summoning the petitioner and other accused persons as accused, however, the said petition was rejected and the petitioner was not summoned by the trial court.

Learned counsel next submits that on 19.12.2017, a supplementary charge-sheet was filed by the police in which the petitioner has been charge-sheeted and the cognizance thereof, was taken by the learned Magistrate on 02.03.2020.

Thus, the submission is that the petitioner was not an absconder. Learned counsel also submits that the informant is an Advocate and the petitioner is also a practicing Advocate in Darbhanga Civil Courts and there is no likelihood that the petitioner will abscond or tamper with the evidence. She is in custody since 6th of January 2021.

Regard being had to the submissions made by the



parties and taking into consideration the material on record and the fact that charge-sheet has already been submitted in this matter, petitioner is a practicing Advocate and there is no likelihood that the petitioner will abscond or tamper with the evidence and she is in custody since 6th of January 2021, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Accordingly, let the petitioner, HENA PARWEEN @ HEENA (HENA) PARWEEN 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 learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai PS Case No. 219/2010.

(Anil Kumar Sinha, J)

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