

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40467 of 2021

Arising Out of PS. Case No.-90 Year-2020 Thana- KESARIA District- East Champaran

Nema Khatoon @ Ruksana, Wife of Shahid Ali Khan Resident of Village-
Akhta Chakwa, P.S.- Barginiya, District- Sitamardhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends her arrest in connection with Kesariya P.S. Case No.90 of 2020 registered for the offence under Sections 406,420,467,468,471,120(B),341,323,504,506 of the IPC.

Prosecution case in brief is that, brother of the informant is a driver and he used to go at the residence of accused Nasruddin Khan @ Nasir Khan because maternal house of his wife is situated in the village of the informant. The accused Nasruddin Khan kept proposal before the informant's brother for better service of driver in foreign country because he possessed passport and for the said service he has to expend Rs.1,50,000/-. The accused further advised the informant's brother to keep contact with his relative and his wife, who used



to live there and Nema Khatoon is friend of his wife Afroji Khatoon and to pay the said money to them. Informant and his father arranged money and give to accused Afroji Khatoon @ Baby Khatoon and Nema Khatoon. Thereafter, informant's brother went to Saudi Arabiya, where accused Nasruddin Khan received him and instead of providing job before master of Shahid Ali Khan, he has provided job to informant's brother before his master, namely, Faujiya Saleh Abdul Rahman, where the informant's brother had worked for the period of three months and accused grabbed his salary of three months. When the period of Visa was ended, the informant's brother requested for extension of period of Visa, but the accused avoided it and confined him after expiry of period of Visa. Informant's brother informed the local police about the aforesaid cheating and forgery committed by accused and with the help of local police the informant's brother went to the office of Indian Ambassador and the informant's brother sent message to his house through Electronic Media. When the informant demanded his money of Rs.1,50,000/- the accused abused, dashed, assaulted and threatened and refused to pay money to the informant.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been



implicated in the present case due to land dispute. He further submits that the husband of the petitioner is own Mama of the informant and there is no cogent evidence of any payment for the job of driver. Learned counsel for the petitioner further submits that co-accused has been granted anticipatory bail by the learned lower court.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of communication of this order is directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S. Case No.90 of 2020, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Prakash Narayan /-

U		T	
---	--	---	--

