

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19816 of 2023

Arising Out of PS. Case No.-359 Year-2019 Thana- SUGAULI District- East Champaran

NAZIRA KHATOON @ NAJIRA KHATOON @ NAJIRA W/O SHEKH
YUSUF R/O VILLAGE- MANSINGHA, P.S- SUGAULI, DISTT.- EAST
CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
3. NOORFATMA KHATOON SEKH DILSHAD VILLAGE- MANSINGHA,
P.S- SUGAULI, DISTT.- EAST CHAMPARAN AT MOTIHARI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-04-2023 This application has been filed for quashing the order dated 30.01.2023 passed by the learned Additional Sessions Judge 1st East Champaran, Motihari in Sessions Trial No. 151 of 2021 arising out of Sugauli P.S. Case No. 359 of 2019 whereby and where under the application filed by the petitioner under Section 227 of the Cr.P.C. has been rejected.

The prosecution story in short is that the petitioner has been made accused along with four others in Sugauli P.S. Case No. 359/2019 on the basis of written application of Noorfatma Khatoon, daughter of Sekh Dilshad, co-villager of the petitioner by which it is alleged that co-accused Tabrej Alam had been sexually exploiting the petitioner on the pretext of



false promise of marriage and aborted the pregnancy. On 22.08.2019, Tabrej Alam entered in her house and started coercing her to elope, however, upon hearing their voices, her uncle came and Tabrej Alam fled away after seeing her uncle.

By a detailed order the Trial Court has rejected the application for discharge after discussing the entire material available on record.

Strong suspicion warrants the framing of charge and in the present case, the petitioner has helped her son in committing the offence.

In these circumstances, this is not a fit case for discharge, this application is dismissed.

(Sandeep Kumar, J)

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