

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32634 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- DARAUNDA District- Siwan

Sonam Khatoon D/O- Gaffur Miyan R/O Village- Khadsara, P.S.- Daraunda,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kumari Anupam, Advocate.
For the Opposite Party/s :	Mr. Rabindra Kumar, APP.
For the Informant :	Mr. Krishna Kant Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

4 20-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in connection with Daraunda P. S. Case No. 253 of 2021 registered for the offences punishable under Sections 366A of the Indian Penal Code.

As per the prosecution case, the petitioner and co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purposes of marriage.



Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. There is no specific overt act against the petitioner. The main allegation is against the co-accused persons. The F.I.R. does not show that the said minor girl was kidnapped to have illicit intercourse with another person and hence no case is made out against the petitioner. The present F.I.R. has been lodged after a lapse of 20 days without giving any plausible reason. The petitioner has no criminal antecedent as stated in para 3 of the bail petition and she is a lady.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner and submitted that the minor girl is still traceless.

Learned counsel for the Informant also opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Siwan in connection with



Daraunda P. S. Case No. 253 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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