

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38004 of 2023

Arising Out of PS. Case No.-440 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Asama Khatoon @ Ashma Khatoon Wife Of Md. Rostam @ Md. Rustam @
Rustam Ali Resident Of Village - Bhanspatti, P.S. - Runisaidpur, Distt. -
Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

3. As per prosecution case, the FIR named accused persons including the petitioner kidnapped the daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is the mother of the co-accused Md. Mehdihasan. He submits that there is no specific overt act against the petitioner. He submits that the statement of the victim has been recorded under Section 164 of the Cr.P.C. in



which she has not supported the prosecution case. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 24614 of 2023. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Runnisaidpur P.S. Case No. 440 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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