

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65237 of 2022

Arising Out of PS. Case No.-173 Year-2022 Thana- SITAMARHI District- Sitamarhi

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Siriya Khatoon @ Sairul Khatoon Wife of Tabarak Hussain @ Tabarak Ansari
Resident of village - Bhairo Kothi Lichi Bagan Ward No.- 1, P.S. - Sitamarhi,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Sitamarhi P.S. Case No. 173 of 2022 for the offence under Sections 363, 366A and 34 of the Indian Penal Code and Section 8 of the POSCO Act lodged on 11.03.2022 by the informant Suresh Ray.

The prosecution story, in brief, is that one Suresh Ray gave written information on 11.03.2022 to the Officer in charge of Sitamarhi Town Police Station alleging therein that his daughter aged about 16 years was kidnapped with bad intention. He further alleged that his daughter is mentally weak and on 07.03.2022 at 7.00 O' clock in the night, she left the house to



attend the call of nature but she had not return. In the next morning, he received information that Md. Tula, Md. Tafijul Sheikh, Mehsaulwali, Md. Kalam, Saddam Ansari, Siriya Khatoon Md. Samsher, Thagiya Khatoon Md. Abdulla Sabir and Md. Tarbej have sent his daughter to Md. Kalam who used to purchase and sell the girl.

Learned counsel for the petitioner submits that she is the mother of the accused Md. Kalam and have nothing to do with the alleged marriage. She is an old lady and further Annexure 2 would show that the girl is happily married with Md. Kalam and an affidavit to this effect has been filed who has put her thumb impression.

Learned APP opposes the prayer.

Be that as it may, the petitioner is the mother of the accused, the main allegation is against Md. Kalam, F.I.R. was lodged and ultimately the accuseds will have to face the music, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 6th cum



Special Judge (POCSO Act), Sitamarhi, in connection with
Sitamarhi P.S. Case No. 173 of 2022 subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Kiran-

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