

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67782 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- TURKAULIYA District- East Champaran

SHAYADA KHATOON Wife of Noor Mohammad Mian R/V- Parsurampur,
P.S- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code and Section 8 of POCSO Act pending in the learned court below.

As per the prosecution case, the minor daughter of the informant was kidnapped by all the accused persons for the purpose of marriage with co-accused Meraj Alam and when informant reached at the house of the Meraj Alam his family members refused to return his minor daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the



petitioner this fact is also clear from the statement of the victim recorded u/s 164 Cr.P.C. He further submits that occurrence took place on 22.01.2021 and present FIR lodged on 31.01.2021 i.e. after delay of 9 days without any explanation by the informant. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Turkauliya P.S. Case No.81/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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