

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73302 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- CHAKAI District- Jamui

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Fekni Khatoon @ Serun Bibi Wife Of Baguda Ansari @ Imtiyaj Ansari @
Imtaj Miyan Resident Of Village - Koradih, Post Office And Police Station -
Batiya, District - Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv
For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Chakia P.S. Case No. 259 of 2023, registered for the offence
punishable under section 363 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged
that this petitioner took the minor child on the pretext of buying
biscuits and thereafter disappeared.

4. Learned counsel for the petitioner submits that
petitioner along with the informant are bangle seller and there
was some business dispute between them in which petitioner
has been implicated. Further, the child was found present near



the house on 02.08.2023. However, the police took her into custody since 03.08.2023 (as stated in paragraph-15 of the bail application).

5. Learned APP for the State opposes the prayer for bail and submits that petitioner had taken the victim child along with her and as such her role cannot be ignored.

6. Taking into account the aforesaid submissions as also that with the god's grace, the child is back, the petitioner is a lady, is in custody since 03.08.2023 and she facing the trial, this Court is inclined to extend her privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. CJM-III, Jamui in connection with Chakia P.S. Case No. 259 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which



the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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