

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.81100 of 2023**

Arising Out of PS. Case No.-932 Year-2022 Thana- MOTIHARI TOWN District- East  
Champaran

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FATIMA KHATOON @ FATMA KHATOON Wife of Rustam Siddique @  
Rushtam Siddiqi Resident of Ward No.- 12, Near Sadar Kabristan, Hanuman  
Gadhi Slam Nagar, Motihari, P.S.- Motihari Town, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vinay Ranjan, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      20-12-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 376, 504, 506, 34 of the Indian Penal Code and Section 67 of the Information Technology Act, 2000.

3. Allegedly, co-accused Rustam Siddiqui is said to have made illicit relations forcibly with the informant's daughter and recorded her obscene video. He also used to blackmail her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. The petitioner and the informant are own sisters. Petitioner has been falsely



implicated in this case due to old grudge, previous enmity and ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The husband of the petitioner has also filed a case i.e. Town P.S. Case No. 424 of 2022 against the sons of the informant. The daughter of the informant, namely, Shama Begum, who is victim in the present case was married 20-22 years ago with one Anwar Alam and due to some matrimonial dispute, she left her matrimonial house and filed a Complaint Case No. 254 of 2020 against her husband and her in-laws under Section 498(A). There is inordinate and abnormal delay of 5 months in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that the statement of the victim has been recorded under Section 161 Cr.P.C. in which she has supported the prosecution case.

6. Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the



petitioner that she took side of her husband, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Motihari Town P.S. Case No. 932 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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