

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15443 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- SANOKHAR District- Bhagalpur

Nikhath Biwi @ Nikhat Khatun wife of Shah Mojim Vill- Machhipur, P.S.
Lodipur, Dist. Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Sanokhar (Amdanda) P.S. Case No.207 of 2023 instituted under Sections 366, 120 (B), 34 of the Indian Penal Code and subsequently Section 376 of the Indian Penal Code has been added.

3. As per prosecution case, the informant alleged that his wife went to consult a doctor but she could not return home and on search he could not trace her, thereafter he came to know that the co-accused Shah Nashim took away his wife with intention to marry her with the help of accused persons including the petitioner.

4. Learned counsel for the petitioner submits that petitioner is sister-in-law (Nanad) of the sister of the victim and there is no specific allegation against her. He further submits that



the main allegation is against co-accused Shah Nashim and on the basis of suspicion, the name of the petitioner has also been implicated in this case. Learned counsel submits that the victim was found in the house of the informant by the Police which falsify the prosecution case. He further submits that there is no material found against the petitioner. Petitioner has no criminal antecedent and she is ready to co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Sanokhar (Amdanda) P.S. Case No.207 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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