

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18566 of 2024

Arising Out of PS. Case No.-937 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Rahmat Khatoon Wife of Nasimul Haque Resident of Vill.-Siswa East, Ward
No.-11, P.S.-Banjariya, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashmi Jha, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable u/s 366(A) of the IPC and
u/s 8 of the POCSO Act.

3. As per the prosecution case, the informant's
daughter has gone to throw scraps, but did not return. Informant
believed that all accused persons including the petitioners
kidnapped his daughter.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case due to grudge. No
such occurrence, in the manner as alleged, has ever taken place.



The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against the co-accused Mazid Naseem to abduct the minor daughter of the informant. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Turkauliya (Banjariya) P.S. Case No.937 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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