

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16224 of 2024

Arising Out of PS. Case No.-684 Year-2023 Thana- ARARIA District- Araria

MUNNI @ BIBI MUNNI KHATOON WIFE OF KASIM @ MD. KASIM
RESIDENT OF VILLAGE - DEWARIYA, BADIGHAT, P.S. AND
DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kishore Bharti, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP
For the Informant	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Araria P.S. Case No. 684 of 2023 for the offence registered under sections 363, 366(A) and 34 of the Indian Penal Code lodged on 10.07.2023 by the complainant, Aasma Khatoon.

3. As per the prosecution story, the complainant alleged that one Md. Shabbir kidnapped the daughter of the informant when she had gone to attend coaching. The role of the family members including the petitioner has also been attributed. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that she is the mother of the accused, Md. Sabbir, have nothing to do in



the matter, allegation is against Md. Sabbir of having taken the girl away and have no criminal antecedent.

5. Learned Counsel for the complainant submits that as per the allegation itself, entire family members connived and took away the girl.

6. Considering the fact that main allegation of taking away the girl is on Md. Sabbir, she is a lady, do not have criminal antecedent, mother of Md. Sabbir, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory 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 Court of C.J.M., Araria in connection with Araria P.S. Case No. 684 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show 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 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 the 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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