

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75151 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Rajina Khatoon @ Ragina Khatoon, Female, aged about 30 years, Wife of
Kuddus Ansari, Daughter of Daud Ansari, Resident of Village- Hathra, P.S.-
Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Prabha Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kusheshwar Asthan PS Case No. 216 of 2023 instituted for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

3. As per the prosecution case, it is a case of
abduction of the daughter of the informant by the accused
persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. It has further been



submitted that accused persons has been implicated in this case due to dirty village politics. He then submits that the petitioner and the informant belongs to same common family and due to family dispute this false, concocted and fabricated case has been lodged and petitioner is a lady. Learned counsel for the petitioner further submits that earlier the informant mother namely Nasima Khatoon had also filed a case against the father of the petitioner bearing Kusheshwar Asthan P.S. Case No. 45 of 2011, in which the father of the petitioner has been acquitted vide judgment dated 04.12.2012.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, statement recorded under Section 164 of the Cr.P.C. and the impugned order of the learned Sessions Judge, Camp Court, Benipur, Darbhanga dated 20.09.2023 and other material available on record, it appears that the FIR has been registered against five named persons and petitioner is not named in the FIR. The victim in his statement recorded under Section 164 of the Cr.P.C. stated that she was standing with co-accused Sana Khatoon and others as there is no allegation of any overt act against her. Petitioner is in custody since 21.08.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be



released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Biraul, Darbhanga in connection with Kusheshwar Asthan PS Case No. 216 of 2023.

(Ramesh Chand Malviya, J)

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