

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2883 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- DHORAIYA District- Banka

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1. BIBI ANISA KHATOON WIFE OF MD. SHARIF RESIDENT OF VILLAGE - RANGAON BUJURG, P.S. - DHORAIYA, DISTRICT - BANKA
 2. BIBI SARBATI @ BIBI SARBARI ARA WIFE OF MD. SAHWAN RESIDENT OF VILLAGE - HASAI, P.S. - DHANKUND, DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Jha

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seek permission to withdraw the present anticipatory bail application on behalf of the petitioner no. 1 because she has been arrested during the pendency of the bail application.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application on behalf of the petitioner no. 1 stands dismissed as withdrawn.

5. So far as regarding the petitioner no. 2 is



apprehending her arrest in connection with Dhoraiya P.S. Case No. 215 of 2023, corresponding to G.R. No. 2733/2023 dated 02.08.2023 for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and u/s 67(B) of the I.T. Act.

6. As per prosecution case, the co-accused, Md. Dilshad and some unknown persons kidnapped the minor daughter of the informant. After the occurrence, the co-accused Md. Dilshad threatened the informant to meet him in secluded place otherwise he would make the obscene photo and video of her daughter viral. When the informant informed this to the co-accused, Md. Dilshad's mother, Anisha Khatoon then she also abused and threatened her. Further the brother of Anisha Khatoon, Md. Aslam along with the petitioner and the co-accused Anisha Khatoon assaulted the informant. Thereafter, the co-accused, Md. Dilshad sent messages and obscene photos of her daughter through three different Whatsaupp.

7. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent mentioned in para 3 of the bail application. From perusal of the statement of victim girl u/ 164 Cr.P.C. has not supported the prosecution



case. Learned counsel further submits that there is a delay of five days in lodging the F.I.R.

8. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner no. 2

9. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner no. 2, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Banka in connection with Dhoraiya P.S. Case No. 215 of 2023, corresponding to G.R. No. 2733/2023 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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