

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2820 of 2024

Arising Out of PS. Case No.-263 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Jamila Khatoon Wife of Late Mobarak Mian Resident of Village Gandhua,
P.S. Baikunthpur, District Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest in connection with Baikunthpur P.S. Case No. 263 of 2019 for the offence registered under sections 363, 366(A) and 34 of the Indian Penal Code lodged on 16.10.2019 by the informant, Premi Devi.

3. As per the prosecution story, the informant alleged that while returning her daughter was picked up by the son of the petitioner and taken away in a motorcycle. When she went to the house of the accused persons, it was informed by the family members including this petitioner that she will be returned in couple of days. As it did not happen, the F.I.R.

4. After some years, main accused Jakir Hussain as also the victim returned and thereafter she made statement under



section 164 of the Cr.P.C. stating that she is 20 years old, got married with Jakir Hussain and the couple is now blessed with a son and a daughter. In that background, the petitioner being a lady, deserves relief.

5. 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 Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 263 of 2019 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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