

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6303 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- KISHANGANJ District- Kishanganj

Nazmeen @ Naziya Begum, D/O Late Nahid Alam, R/O- Dhanpura, Ward
No. 03, P.S.- Kochadhaman, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Kishanganj P.S. Case No. 370 of 2024,
registered for the offence punishable under Sections 319(2),
318(4), 323, 340(2), 3/5, 111(3), 111(4) and 308(5) of the
Bharatiya Nyaya Sanhita and Sections 66(D), 66(E) and 67 of
the I.T. Act.

3. Based upon the written report, it is alleged that the
informant, who is engaged in sending the people to *Macca-*
Madina for *Haz* and *Umrah* received a phone call, where the
caller has disclosed his name as *Shahnawaz* and said that his
parents are willing to go *Macca* for *Haz*. On the said
information, the informant reached at the place of occurrence
along with three persons on a motorcycle. When the informant



reached in the house, he was locked inside a room, where a girl was sitting from before without any clothes. Until the informant could understand, all the boys entered in the room and started assaulting him. By showing the videographs on their mobile, the accused person extracted Rs. 1,50,000/- from the informant through mobile pay phone. Later on, the accused also realized Rs. 70,000/- from the informant. The accused persons also threatened and blackmailed the informant and also demanded more amount. The informant received a phone call from another mobile, the caller asked the informant to bring the rest of the money. On information given by the informant, the said person was apprehended, who disclosed his name as *Md. Farhan*. On interrogation, he further confessed the name of other accomplice as *Jeva*, *Najmeen* (petitioner), *Asgar* and *Naki Anwar*. The informant further stated that the accused persons returned Rs. 2,54,000/- and mobile of the informant, however, they did not return the rest Rs. 31,000/-.

4. Learned Advocate for the petitioner referring to the F.I.R. contended that the F.I.R. is in details, which clearly disclosed that the money, as was taken by the informant, has been returned to the informant by accused persons. It has also come that it is co-accused *Md. Farhan*, who disclosed the name



of the petitioner and others. Moreover, there is a delay in lodging of the F.I.R, as the alleged occurrence took place on 18.09.2024, whereas, the present F.I.R. has been instituted on 21.09.2024. There is no assertion that the informant has identified the petitioner as one of the accomplice. Moreover, the petitioner is in custody since 28.10.2024, having absolutely fair antecedent. It is lastly contended that one of the co-accused Asgar @ Asghar Alam, whose name has also been disclosed by Md. Farhan, has been accorded the privilege of bail by this Court in Cr. Misc. No. 3335 of 2025 vide order dated 05.02.2025.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the *modus operandi* of the case is quite alarming in nature and the innocent persons are being blackmailed by making videograph with girls.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR, coupled with the fact that the petitioner is a lady having fair antecedent and the investigation of the crime is complete and charge-sheet has been submitted; moreover, co-accused person, having more or less identical allegation, has been



allowed the privilege of bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 370 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) She will remain present on each and every date of trial till disposal of the case.

(iii) She will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, her bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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