

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35688 of 2025

Arising Out of PS. Case No.-377 Year-2024 Thana- GORAUL District- Vaishali

Sajdo Khatoon @ Sajda Khatun W/o Israfil Ali @ Md. Israfi @ Israfil R/o
Village- Rasulpur, Fatah (Allipur Sumerganj), P.S.- Katahara, District-
Vaishali. Petitioner/s

Versus

1. The State of Bihar.
2. Asagari Khatoon W/o Md Shamim R/o Vill- Rusulpur Fatah, P.S.- Katahara,
Distt- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Bela Singh, Advocate
For the Opposite Party/s	:	Mr.Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Ashok Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-10-2025 Heard learned counsel appearing on behalf of
the petitioner, learned APP appearing on behalf of the
State and learned counsel appearing on behalf of the
informant.

2. The petitioner seeks bail in connection with
Goraul (Katahara O.P.) P.S. Case No. 377/2024,
registered for the offence under Sections 137(2), 96,
3(5) of the Bharatiya Nyay Sanhita.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 18.01.2025.

4. The allegation against the petitioner is to
kidnap the minor daughter of the informant aged
about 14 years alongwith other co-accused persons for
the purpose of illicit intercourse/marriage with another



person.

5. Learned counsel appearing on behalf of the petitioner submitted that the victim was recovered during investigation and was produced before the learned trial court on 18.09.2025. It is submitted that during investigation after recovery, the victim made statement before the police that she went with Mahtav Alam on 21.09.2024 on her own and she was not kidnapped by anyone. It is submitted that she didn't name even this petitioner. It is pointed out that being neighbour of main co-accused Md. Mahtav Alam and also being mother of the another co-accused, namely Golu, this petitioner was implicated falsely with present case purely on the basis of suspicion. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, not even a single prosecution witness was examined in this case and, therefore, there is all likelihood that trial of this case would not conclude within the preferred time line of one year as provisioned under Section 35(2) of the POCSO Act.

6. Learned APP duly assisted by learned



counsel Mr. Ashok Kumar Sinha, appearing on behalf of the informant while opposing the prayer of bail could not disputed the aforesaid factual submission as advanced by learned counsel appearing for the petitioner.

7. Considering the aforesaid factual submissions and by taking note of fact as the victim after recovery failed to name this petitioner *qua* her involvement to any extent with crime in question, coupled with the fact that petitioner being lady of clean antecedent, remains in custody since 18.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Goraul (Katahara O.P.) P.S. Case No. 377/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VI-cum-Special Judge, POCSO, Vaishali at Hajipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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