

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10635 of 2015

Arising out of PS.Case No. -136 Year- 2013 Thana -JOKIHAT District- ARRARIA

Makina Khatoon, wife of late Tahir, resident of village- Malharia, P.S.- Mahalgaon, District- Araria.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party : Mr. Manoj Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending her arrest in connection with Jokihat(Mahalgaon)P.S. Case No. 136 of 2013 for the offences instituted under Sections 420/34 of the I.P.C.

The prosecution story, in brief, is that one Sonu, the nephew of Idrish informed the informant on telephone about the death of her daughter. When the informant and others went to matrimonial home of the deceased, the family members were found absent and the daughter of the informant was lying dead on a Chowki. The informant found that the deceased had marks of injuries on her body. It is further alleged that Idrish has contracted his second marriage. The informant has made specific allegation

that the deceased was strangled to death by the petitioner and the co-accused Idrish.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is the mother-in-law of the deceased. It is further submitted that the petitioner has been made accused in the present case due to mistake of fact. There is no eye witness to the occurrence.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of her arrest or surrender before the learned court below within a period of four weeks from today in connection with Jokihat (Mahalgaon) P.S. Case No. 136 of 2013 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)