

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31464 of 2015

Arising Out of PS.Case No. -293 Year- 2013 Thana -CHANPATIA
District- WEST CHAMPARAN(BETTIAH)

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Hasantara Khatoon @ Gudiya Khatoon, W/o Late Momtaz Mian, Resident
of Village - Puraina Gosai, Jolaha Tola, P.S. - Chanpatia, District - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. R.N.Jha(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending her arrest in
connection with Chanpatia P.S. Case No.293 of 2013 for
allegedly having committed the offence under Section 302
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
the petitioner is the wife of the deceased Mumtaz Mian,
who was shot dead by unknown person. The petitioner is
also the informant of the present case, who had reported the
incident soon after she brought her husband in a precarious
condition inside her house. Subsequently, on the basis of
the confessional statement of one Jakir Ansari, the



petitioner's name has been brought into the case only on account of the fact that she had illicit relation with one Sandeep Das. Learned counsel for the petitioner further submits that said Sandeep Das has already been extended the privilege of anticipatory bail in Cr.Misc. No.28772 of 2015 vide order dated 27.7.2015.

After perusing all the materials on record, it appears that save and except the confessional statement, there is no cogent materials so as to implicate the petitioner in the case. Furthermore, said Sandeep Kumar has already been enlarged on anticipatory bail and the statement made by co-accused before the police has no evidentiary value implicating the petitioner.

In view of the aforesaid facts and circumstances, let the above named petitioner, in the event of her arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Chanpatia P.S. Case No.293 of 2013,

subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Anjana Mishra, J)

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