

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51568 of 2015

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1. Bibi Zaigun Nisha, W/o Md. Jamrul, R/o Village- Sonapur, P.S. Balrampur, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Yogendra Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015

Heard learned counsel for the petitioner, Mr. Shardanand

Mishra, learned counsel for the informant, Mr. Kubar Pathak and learned AP.P.P. for the State.

The petitioner apprehends his arrest in connection with Barsoi P.S.Case No. 36 of 2015 registered for offences punishable under Sections 147, 148, 149, 342, 324, 302, 307, 504 and 120 (B) of I.P.C.

The prosecution case based on the F.I.R. is that on 08.3.2015 at about 8 P.M. children of Md. Naiyar and Md. Jamrul were quarrelling with each other, on which wife of Jamrul abused the wife of Naiyar. At the relevant time, Naiyar was not present in the house. After some time he came and on being narrated the story, Naiyar went before Jamrul asked about the quarrel, thereafter, Md. Jamrul and his wife Bibi Zaigun Nisha (petitioner) Keshar, Doli, Noor Alam , who is the Son-in-law of Jamrul came

with knife and started quarrel with Md. Naiyar. In the meanwhile, husband of the informant Md. Shaukat and one Wasim came and pacified the quarrel. All of them caught her husband and Md. Jamrul, his wife Bibi Zaigun Nisha(petitioner) and son Keshar, gave knife blow due to which Md. Shaukat, husband of the informant died and Wasim also received injury by knife.

It has been submitted by the learned counsel for the petitioner that she is innocent and has committed no offence and has been falsely implicated due to land dispute. However, learned counsel for the informant submits that the petitioner is named in the F.I.R. along with her husband and son and both of them have also received injury. The petitioner has clean antecedent, as is evident from para-3 of the petition.

Furthermore, it has been submitted by the learned counsel for the petitioner that she is a lady and no specific allegation has been made against her. One of the co-accused has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 23486 of 2015.

Be that as it may, let the above named petitioner in the event of her arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Barsoi P.S.Case No.

36/2015, subject to the conditions as laid down under Section
438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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