

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38718 of 2015

Arising out of PS.Case No. -19 Year- 2014 Thana -KANGALI District- WEST
CHAMPARAN(BETTIAH)

Sahima Khatoon, wife of Shah Alam Khan, resident of Village- Sabiathwa,
P.S. Kangali, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party : Mr. Sadanand Paswan (Spl. Pp)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 08-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 11.06.2015
in connection with Kangali P.S. Case No. 19 of 2014 for the
offences instituted under Sections 302/34 of the IPC and 3(1)(x) of
the SC/ST (Prevention of Atrocities) Act.

The prosecution story, in brief, is that when the
informant who resides along with his family in Nepal for his
livelihood received telephonic message that his old mother aged
about 65 years who resided at native place along with his son,
namely, Hari Vinay, was assaulted by the petitioner Sahima
Khatoon and co-accused Najani Khatoon on account of scuffle
which led to her death, he came to his house and found his mother
dead. The son of the informant narrated him that during quarrel on

a minor issue relating to cock on 13.6.2015 at noon Sahima and Najani assaulted his mother with fist causing injury on her left side of chest due to which she died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 11.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is a lady. As per allegation, she had given fists and slaps upon the deceased. No weapon is said to have been used in course of occurrence. Postmortem report, Annexure-2, shows that the deceased was suffering from Tuberculosis of lung. She died due to vaso-vagal shock.

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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, West Champaran at Bettiah, in connection with Kangali P.S. Case No. 19 of 2014.

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(Sudhir Singh, J)