

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39452 of 2014

Arising Out of PS.Case No. -35 Year- 2014 Thana -BATHNAHA District- SITAMARHI

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Darudan Khatoon wife of Md. Abbas , resident of village and PS-
Bathanaha, District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-366, 497 and 498 of the Indian Penal Code and the fact that the petitioner has got no criminal antecedent as well as her involvement in this case has surfaced on mere suspicion that the victim lady namely, Anisa Khatoon was the sister of the petitioner and was made to run away at the instance of the petitioner has not been supported by any of the witnesses and on the other hand has been contradicted by Zafeer Mansoori. In fact there is nothing which can directly connect the petitioner save and except the vague allegation of the informant husband.



Considering all these aspects this Court would direct that if the petitioner namely, Darudan Khatoon, surrenders within a period of four weeks from today, she would 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 **C.J.M. Sitamarhi** in connection with **Bathanaha P.S. Case No. 35 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailors shall also state on affidavit that they will inform the Court concerned if the petitioner is implicated in any other case of

similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will give an undertaking that she will receive the police papers on the given date and be present on the date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled on this ground alone.

Ranjan/-
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(Mihir Kumar Jha, J)