

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37285 of 2015

Arising Out of PS.Case No. -103 Year- 2009 Thana -KHAJEKALA District- PATNA

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1. Nuzhat Khatoon, W/o Tamanna Mian, R/o village- Govindpur, P.S.-
Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Hirday Prasad Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015

Heard learned counsels for the petitioner and

the State.

Petitioner is apprehending her arrest in a case registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant along with his brother after purchasing household articles were returning home then both were surrounded by co-accused Raju Mian, Raja Mian, Bablu Mian, Shahzada Mian and others when co-accused Raju Mian resorted to fire causing injuries to the brother of the informant. The accused persons also resorted to fire to the informant but it did not hit the informant. Subsequently the brother of the informant succumbed to the injuries. It is alleged against the petitioner that petitioner being mother of co-accused Shahzada @ Pappu was a conspirator of

the whole incidence.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not present at the place of the occurrence. The petitioner is lady and having no criminal antecedent. A statement to that effect has been made in para 3 of the petition.

Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Khajekallan P.S. Case No. 103 of 2009, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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