

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41904 of 2014

Arising Out of PS.Case No. -394 Year- 2012 Thana -MAHUA District- VAISHALI(HAJIPUR)

=====

1. Raushan Khatoon Wife of Md. Nasim
2. Md. Nasim Son of Late Moid
3. Rabu Khatoon, W/o Md. Anzar All are Resident of Village-Manikpur,
P.S.-Mahua, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 15-05-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mahua P.S. Case No. 394 of 2012 registered for the offence under
Sections-498(A), 354, 307, 324/34 of the Indian Penal Code.

Initially, the case was registered under Sections-
498A, 354, 307, 324/34 of the Indian Penal Code but after death of
the informant, Section-304B of the Indian Penal Code was also
added.

The petitioner Nos. 1, 2, & 3 are Gotani, Bhainsur
and co-villager of the deceased-informant respectively. No doubt,
after investigation, petitioners were not sent up for trial but
admittedly, the learned court below took cognizance of the offence
against the petitioners also.

There is specific allegation against petitioner Nos. 2 & 3 that they participated in pouring the K. oil on the person of the informant and therefore, I do not think it proper to extend the privilege of anticipatory bail to petitioner Nos. 2 & 3 and accordingly, prayer for anticipatory bail of petitioner Nos. 2 & 3 in connection with Mahua P.S. Case No. 394 of 2012 pending in the court of Shri Afzal Imam, learned Judicial Magistrate-Ist Class, Vaishali at Hajipur/concerned court stands rejected.

So far the petitioner No. 1 namely, Raushan Khatoon is concerned; it is apparent from the fardbeyan of the informant that she did not participate in committing the murder of the informant and therefore, the petitioner No. 1 namely, Raushan Khatoon, in the event of her arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mahua P.S. Case No. 394 of 2012 to the satisfaction of Shri Afzal Imam, learned Judicial Magistrate-Ist Class, Vaishali at Hajipur subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

U		T	
---	--	---	--