

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16503 of 2015

Arising Out of PS.Case No. -95 Year- 2013 Thana -GARHPURA District-
BEGUSARAI

Jamila Khatoon W/o Md. Nayeem, Resident of Village -Malipur, Police
Station - Garhpura, District - Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 01-07-2015 Heard both sides.

The petitioner apprehends her arrest in Garhpura P.S.
Case No. 95 of 2013, registered for the offences punishable under
Sections 307 and other Sections of the Indian Penal Code. Later
on Section 302 of the Indian Penal Code was added.

The informant made allegation that Md. Nayeem asked
him to spend money but the informant refused, on such Md.
Nayeem assaulted the informant with fists and slaps. The
petitioner (wife of Md. Nayeem) and others also came and
assaulted the informant and others with fists and slaps on his chest
and abdomen.

Learned counsel for the petitioner submits that there is
no specific allegation of assault against the petitioner. All the

accused persons are alleged to have assaulted the informant with fists and slaps. The occurrence took place on 17.08.2013. The fardbeyan of the injured was recorded on 14.09.2013, but the FIR was lodged on 18.09.2013. The informant died on 25.09.2013. The post-mortem shows that the deceased died due to septicaemia. One stitch wound was found in the abdomen of the deceased. The petitioner is a woman. The case is lodged after inordinate delay.

It appears that of course the occurrence took place on 17.08.2013 but informant gave his fardbeyan on 14.09.2013 while he was under treatment on account of injuries caused to him by assault made by the petitioner and others. The informant made allegation of assault against the petitioner and others that they assaulted the informant with fist, slaps and leg on his abdomen and other parts of his body. The informant got internal injuries in his abdomen on account of assault made by the petitioner and other. The informant was operated but he could not survive.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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