

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22783 of 2016

Arising Out of PS.Case No. -44 Year- 2015 Thana -KAJRAILI District- BHAGALPUR

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Sofiya @ Sufiya wife of Md. Rashid, resident of Mohalla- Champanagar,
P.S.- Nathnagar, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-05-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the Indian Penal
Code.

On the basis of fardbeyan of Chowkidar, this case
was registered against unknown for recovery of a dead body of
male having cut injury. During investigation, the dead body was
identified as of Syed Akbar Ali and co-accused Md. Nizamuddin
was apprehended and he confessed his guilt stating the name of
the petitioner and others and further the petitioner also confessed
her guilt.

Submission is of false implication and that besides
confession, there is nothing against the petitioner, the petitioner is

suffering in custody since 11.11.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration as co-accused Md. Rashid, Shaukat @ Md. Saukat and Md. Nijamuddin @ Nijamuddin have already been allowed bail.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-III, Bhagalpur in connection with S.T. No.208 of 2016 arising out of Kajraili P.S. Case No.44 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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