

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15209 of 2016

Arising Out of PS.Case No. -403 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Jaitun Khatoon, D/o Sobrati Ansari, Resident of village – Shivnagar, P.S.
Bela, District – Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Zohra Khatoon, W/o Late Abbas Ansari, Resident of village –
Shivnagar, P.S. – Bela, District – Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 12-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending her arrest in
a protest –cum- complaint case wherein processes have been
directed to be issued after cognizance being taken for the
offences punishable under Section 328/34 of the Indian Penal
Code.

The prosecution case is that the petitioner gave
some tea leaf like substance to the grandson of the complainant,
namely, Suaib Ansari to eat when the other accused persons
persuaded him to eat the same, thereafter grandson started
vomiting and was brought to the doctor, who disclosed

that he has eaten some poisonous substance at the behest of the petitioner.

It is submitted by learned counsel for the petition that on conclusion of the investigation the petitioner was not sent up for trial and final form was accepted but subsequently on protest-cum-complaint the order of cognizance has been passed.

Considering the fact that during investigation accusation was not found true and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sadar Sitamarhi in connection with Protest –cum- Complaint Case No. CI-403 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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