IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52855 of 2016

Arising Out of PS.Case No. -292 Year- 2016 Thana -MUFFASIL District-WESTCHAMPARAN(BETTIAH)

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1. Jahana Khatun W/o Md. Mumtsz Ansari, Resident of Village-Vishambarpur (Madarhrsha Tola), P.S. - Bettiah Mufassil, District- west Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Informant : Mr. Sanjay Kumar
For the Opposite Party/s : Sri Upendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 29.06.2016 in connection with Bettiah (Mufassil) P. S. Case No. 292 of 2016 registered for the offence punishable under Sections 147,148,149,323,324,307,302,447,504 and 506 of the Indian Penal Code.

The prosecution case is that the petitioner along with others inflicted knife, khanti blow on the informants' side as a result of which one person died and others sustained grievous injuries.

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It has been submitted by the learned counsel for the petitioner that the allegation against the petitioner is that she along with others inflicted knife, khanti blow on Md. Mehadi Ansari over his head and Md. Sagir, Md. Imteyaz and other lady members. He further submits that allegations are not specific but general and omnibus. She had not given any blow upon Md. Khalil, who had succumbed to his injury. He submits that the petitioner has got a clean antecedent and charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned counsel for the informant submits that the petitioner is named in the F.I.R. and she along with other persons caused grievous injury by Khanti blow to the informant's side, hence, opposes the prayer for bail.

Learned counsel for the State also opposes the prayer for bail.

Considering the facts and circumstances and submissions of the parties and that charge sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah in connection with

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Bettiah Mufassil P. S. Case No. 292 of 2016 with a condition that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of her bail bond.

(Nilu Agrawal, J)

Sudha/-

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