

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52796 of 2016

Arising Out of PS.Case No. -104 Year- 2016 Thana -SIDHWARA District- DARBHANGA

=====

Najo Khatoon, wife of Mohd. Nazir Khan, resident of village Rampura
Mirzapur Jagni, P.S. Singhwara, District- Darbhanga.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

=====

Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends her arrest in connection with
Singhwara P.S. Case No.104 of 2016 registered under Sections 302/34
of the Indian Penal Code, pending in the court of Shri Kuldeep, Judicial
Magistrate, First Class, Darbhanga.

The accusation is that Nusrat Jahan, the daughter-in-law of
the petitioner, used to reside in the house of the petitioner separate due
to dispute and her brother Md. Jami (the informant) used to provide the
meal to her. On 27.06.2016, in the night, Syra Khatoon, the daughter of
another sister of the informant, with meal had gone to the house of the
petitioner to provide the same to Nusrat Jahan, where this petitioner and
her son Rizwan, the husband of Nusrat Jahan, caused injury to her by



bricks and she died.

Learned counsel appearing on behalf of the petitioner submits that due to dispute, Nusrat Jahan, the daughter-in-law of the petitioner, used to reside separate with the petitioner and with an ulterior motive, the petitioner has falsely been implicated in this case with false allegation to cause assault to the deceased Syra Khatoon, who had gone to the house of the petitioner to provide meal to Nusrat Jahan.

It is not in dispute that the ante mortem injuries caused by hard and blunt substance were found on the person of the deceased Syra Khatoon and some witnesses have also supported the prosecution in course of investigation.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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

