

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22983 of 2016

Arising Out of PS.Case No. -791 Year- 2014 Thana -ARARIA District- ARRARIA

1. Most. Sajmun Wife of Late Md. Islam Resident of village - Mirzapur
Bangama, P.S. Araria, District - Araria.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Ajay Kumar -2 (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Araria P.S.
Case No. 791 of 2014 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

Allegedly, Gulesha Khatoon, the daughter of the informant
was killed by her in-laws including the petitioner who is mother-in-law
and the petitioner always used to torture her for dowry and further the
accused persons have caused threats to her.

Submission is of false implication and that the informant is
not an eye witness of the occurrence, no complaint was ever made with
regard to demand of dowry while the deceased was alive. Rukshana
Khatoon, own sister of the deceased, has stated that after getting
information he went there and found the blood was oozing from her
nose and then she was bringing her for treatment by tempo but in the
way she died. She has also stated that who killed her she cannot state.

Similarly, witness Sambari Khatoon has also stated who killed the deceased she does not know as there was no dispute from earlier. Similarly situated co-accused Raushan has already been allowed pre-arrest bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 16897 of 2015.

Learned APP fairly submits that the case of the petitioner is similar to that of co-accused Raushan.

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 the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 791 of 2014, subject to the conditions that one of the bailors must be a 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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