

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50791 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -BABUBARHI District- MADHUBANI

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1. Bibi Jahida Khatoon @ Jubaida Khatoon @ Zaubaida Khatoon wife of
Md. Sabbir
2. Md. Shakil son of Md. Sabbir
Both Resident of village- Gidarganj, P.S.- Andhra Tharhi, District-
Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

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

3 05-01-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Babubarhi
P.S. Case No. 29 of 2015 registered for the offences punishable
under Sections 302, 201, 120B of the Indian Penal Code.

Samina Khatoon the daughter of the informant was
married with Md. Arman the son of petitioner no. 1 and, allegedly,
Md. Arman was having illicit relationship with his Bhabhi, dispute
arose and for that case for maintenance and under Dowry Act were
filed wherein Md. Arman was directed to pay Rs. 2500/- per
month as maintenance and warrant was issued and then Md.

Arman and his family members including the petitioners killed Samina Khatoun.

Submission is of false implication and that the petitioner no. 1 is mother-in-law of the deceased whereas petitioner no. 2 is Dewar and they are living separately from the husband of the deceased since long, they have been made accused only on suspicion and there is no specific allegation against them and as such they deserve sympathetic consideration as they are suffering in custody since 09.03.2015 having no criminal antecedent, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that the petitioners are mother-in-law and Dewar.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Niraj Kishore, J. M. Ist Class, Madhubani in connection with Babubarhi P.S. Case No. 29 of 2015, 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 petitioners shall remain present on each and

every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

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(Jitendra Mohan Sharma, J)