

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51571 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

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Shamima Khatun wife of Halimuddin Resident of Village - Chanar Gaw
Bawantoli, P.S. Bahadurganj, District Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party : Mr. Anant Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
27.05.2016 in connection with Bahadurganj P.S.Case No.97 of
2016 for offence alleged under Sections 341, 307, 120B and 34 of
the IPC.

The prosecution case as lodged by the informant is that
he came to his native house after one year from Punjab. On the
alleged date, he after purchasing vegetables sent his wife to the
house and went to his *Sasural* and on way, he met with accused
Kabul and during conversation, the said accused Kabul inflicted
knife blow. It is alleged that the said accused Kabul had illicit
relation with his wife, hence, by hatching conspiracy with his



wife, the accused Kabul attempted to kill him.

It has been submitted by the learned counsel for the petitioner that the petitioner is wife of the informant, is innocent and has no criminal history and has been falsely implicated only on the basis of suspicion. He further submits that no overt-act has been committed by her and she is a mother of five children. It is also stated that chargesheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since the petitioner has been implicated only on the basis of suspicion and chargesheet having been submitted, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj in connection with Bahadurganj P.S.Case No.97 of 2016.

(Nilu Agrawal, J)

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