

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57530 of 2015

Arising Out of PS.Case No. -154 Year- 2015 Thana -BARHARIA District- SIWAN

Rahima Khatoon, Daughter of Sanauar Hussain, Resident of Village-Surwala, Police Station- Gautam Budh Nagar, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Pradip Nr.Kumar(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Barharia P.S. Case No. 154/2015 registered under Section 302 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the FIR that the mother and sister of the informant were sleeping in the courtyard whereas this petitioner being newly wedded wife of the informant was sleeping in the room. In the mid night, on hearing the cry of mother, the informant went in the courtyard and saw the upper portion of the body his mother in burning condition. While she was rushed to the hospital for her treatment, she died. Regarding the said occurrence, on the basis of written report of Ali Imam, husband of



the petitioner, Barharia P.S. Case No. 154/2015 was instituted under Section 302 of the Indian Penal Code against unknown mentioning the mobile no. 7564038752 through which threatening was given to the informant of dire consequences due to performance of marriage of this petitioner with him. Later on, after 11 days of the occurrence, the informant gave his re-statement in which he raised suspicion against the petitioner saying that the petitioner was also present in the courtyard at the time of the alleged occurrence and, thereafter, the statement of the sister of the informant was also recorded who also stated that this petitioner was present in the courtyard and one person in the name of Ravi put on fire the deceased and fled away from there.

It is submitted on behalf of the petitioner that mere suspicion has been raised by the informant and his sister after 11 days of the occurrence against the petitioner. There is no tangible material against the petitioner and the petitioner has falsely been implicated in the present case. The petitioner being a lady and having no criminal antecedent is in custody since 28.07.2015.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to 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 the learned

Chief Judicial Magistrate, Siwan in connection with Barharia P.S.
Case No. 154/2015. Out of two sureties, one surety must be the
close relative of the petitioner.

(Rajendra Kumar Mishra, J.)

Rakhi

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