

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26806 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -MAHILA P.S. District- MUNGER

Most. Bibi Kaimun, wife of Late Md. Makbool, Resident of village-
Mirzapur Bardah, P.S. Munger Muffasil, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Smt. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 06-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the mother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant Gul Afsa developed intimacy with her co-villager Md. Kashim @ Jumman being the son of the petitioner. The son of the petitioner established physical relationship with the informant on assurance of marriage but subsequently torture was inflicted by the petitioner, his son and other family members then Muffasil P.S. Case No. 161 of 2015 was registered for the offences punishable under Sections 376, 341, 323, 504 and 506/34 of the Indian Penal



Code and 4, 6 and 10 of the Protection of Children from Sexual Offences Act but ultimately issue was resolved and the son of the petitioner performed marriage with the informant on 27.08.2015, thereafter, again torture was inflicted for non-fulfillment of the further dowry demand of motorcycle, fridge and other articles. It is specifically alleged against the petitioner that she along with her son caught hold of informant when co-accused Bulbul and Sajra snatched earring when Md. Shasim snatched gold ring.

It is submitted by the learned counsel for the petitioner that the thrust of accusation is against the husband of the informant. In earlier case also, the petitioner was made accused but therein also the thrust of accusation was against the husband of the informant and in that case the petitioner was granted bail.

Learned APP, after going through the case diary, submits that paragraph no.224 of the case dairy reflects that the victim died on 28.03.2016 while delivering a child in hospital and there is no injury report of the informant on record.

Considering the thrust of accusation against the husband of the informant, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with

two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Munger in connection with Munger Mahila P.S. Case No. 02 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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