

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9534 of 2016

Arising Out of PS.Case No. -484 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

1. Azibun Khatoon @ Ajibun Khatoon @ Ajwan Khatoon W/o Md. Irsad
Resident of village - Gorigawan, P.S. Saraiya, Distt. - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-03-2016 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

The petitioner is in custody since 12.08.2015 in connection with Saraiya P.S.Case No. 484/2014 registered for offences punishable under Sections 147, 341, 342, 323, 315, 504 and 506 of the Indian Penal Code.

The prosecution case is that the petitioner being the own sister-in-law of the informant, Azibun Khatoon put her down and assaulted her with fists and legs. There was a dispute between them for household articles for which petitioner along with the other co-accused assaulted the informant, resulting in miscarriage of her pregnancy.

It is submitted by the learned counsel for the petitioner

the she is innocent, having no criminal history. The allegation against the petitioner is omnibus and is languishing in custody since about eight months, hence deserves the privilege of bail.

However, learned counsel for he informant submits that the petitioner assaulted the informant on her stomach, which resulted in internal injury and termination of her pregnancy.

However, learned A.P.P. submits that the petitioner is named in the F.I.R. and opposes the prayer for bail.

Be that as it may, the above named petitioner Azibun Khatoon @ Ajibun Khatoon @ Ajwan Khatoon is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Saraiya P.S.Case No. 484/2014 with following conditions:-

- i) One of the bailors will be the close relative of the petitioner.
- ii) The petitioner will not indulge in similar or in any other offence.
- iii) The petitioner will be well represented in the Court.

iv) In case of absence for two consecutive dates or in violation of the terms of the bail, her bail bond will be liable to be cancelled by the Court concerned.

(Nilu Agrawal, J)

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