

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44787 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -POWAKHALI District- KISANGANJ

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Saira Khatoon wife of Badri Sah Resident of Village- Malingaon, Police
Station - Powakhali, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Hussain, Advocate

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends her arrest in connection with
Powakhali P.S. Case No.8 of 2015 for the offence registered under
section 304(B)/34 of the Indian Penal Code.

Petitioner happens to be mother-in-law of the deceased.
The present case was lodged under Section 304(B)/34 of the I.P.C.
but the fardbeyan of the informant does not disclose any allegation
of illegal demand in connection with marriage of the deceased.
Moreover, the marriage of the deceased had taken place four years
ago. However, the impugned order of learned Sessions Judge goes
to show that while rejecting the prayer of anticipatory bail of the
petitioner, the learned Sessions Judge observed in impugned order



that it was husband of the deceased, who committed her murder.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sri P. Datta, Judicial Magistrate, Ist Class, Kishanganj in Powakhali P.S. Case no. 08 of 2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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