

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15859 of 2016

Arising Out of PS.Case No. -800 Year- 2015 Thana -NAWADA District- NAWADA

=====

Kaniza Khatoon @ Pato Wife of Md. Anwar Ansari @ Annu Resident of
Mohalla-Moghlakhar, P.S.-Nawada Town (Bundelkhand), District-Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. P.N.Pandit(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 27-06-2016

Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Nawada Town (Bundelkhand) P.S. case no. 800/2015
registered for the offences punishable under Sections 302,
201/34 of Indian Penal Code.

Allegedly, Busra Khatoon daughter of the
informant was found dead lying under the stair in front of
the house of Bablu Tent House. During investigation, the
mother of the deceased and other witnesses stated
regarding the hand of the petitioner in the crime and

further the petitioner confessed her guilt.

Submission is of false implication and that the informant is not an eye-witness of the occurrence, other witnesses who have stated the name of the petitioner on suspicion are also not the eye-witnesses and the police has only got recorded the confessional statement which has got no evidentiary value in the eye of law. Without any legal and tangible material, the petitioner is suffering in custody since 03.02.2016.

The learned A.P.P. opposes the prayer for bail by submitting that the petitioner has got criminal antecedent and she has confessed her guilt also.

In the facts and circumstances stated above, considering that there is no eye-witness of the occurrence, charge-sheet has already been submitted and there is no chance of tampering with the evidence, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Nawada arising out of Nawada Town (Bundelkhand) P.S. case no. 800/2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from the privilege of bail.

(Jitendra Mohan Sharma, J.)

rinkee/-

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