

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42217 of 2017

Arising Out of PS.Case No. -43 Year- 2014 Thana -BENIPATTI District- MADHUBANI

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1. Shamsana Khatoon, Wife of Md. Sakeel.
 2. Afsana Khatoon, Daughter of Md. Sultan.
 3. Goori Khatoon, Daughter of Late Md. Islam, All are Resident of Village- Laddogama, Police Station- Benipatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 19.05.2016 in connection with Benipatti P.S. Case No. 43 of 2014 for offences punishable under Sections 302, 201/34/120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Angoori Khatoon was married with one Md. Anwar in the year 2013. On 04.03.2014 Md. Anwar telephoned the informant that condition of his daughter is serious. After sometime, villager of the informant informed him that his



daughter has expired. On this information the informant and his father along with other villagers came at his daughter's place and saw her dead body lying on a cot. Allegation upon the petitioners is that they along with others set the informant's daughter on fire and killed her.

It has been submitted by the learned counsel for the petitioners that they are innocent and have not committed any offence. It is submitted that the mother-in-law on similar allegations has been acquitted by the learned Additional Sessions Judge-V, Madhubani in Sessions Trial No. 234 of 2014 by judgment and order dated 05.01.2016 and the petitioners being ladies have been falsely implicated as general and omnibus allegations have been levelled against all accused persons including the petitioners. He submits that all the petitioners are ready to cooperate in the trial and appear as and when required by the trial court.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned 2nd Additional District and Sessions Judge, Madhubani in connection with Benipatti P.S. Case No.43 of 2014 Sessions Trial No. 232 of 2017, subject to the condition that both bailors would be close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners and that petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

The learned court below is directed to expedite the trial as the report which has been called for from the court of learned 2nd Additional District and Sessions Judge, Madhubani it is stated that trial is expected to conclude within ten months.

(Nilu Agrawal, J)

Devendra/-

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