

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3940 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Sharifan Khatoon, Wife of Alauddin, R/o - Village- Chawanni Bahilbara,
P.S - Saraiya, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate

For the Opposite Party : Mr. Anil Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 03-04-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and also learned counsel representing

the State.

The petitioner apprehends his arrest in connection
with Saraiya P.S. Case No. 165 of 2016, registered for the
offences punishable under Section 302/34 of the Indian Penal
Code.

Allegedly, Afsanas Khatoon (daughter of the
informant) was married to Md. Sherajuddin the son of the
petitioner about 13-14 years ago and out of wedlock there are
three sons and one daughter, the son-in-law died in road accident
and for that compensation amount was paid to the daughter of the
informant and that amount was demanded by the petitioner and
other and due to non-fulfillment she was strangled to death.

Submission is of false implication and that the husband



of the petitioner is already in custody, there is no specific allegation against the petitioner, the petitioner has been falsely implicated in this case, she has got no concern with the occurrence. As a matter of fact, the deceased committed suicide due to the reason best known to her and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that petitioner, her husband and others killed the deceased and during post mortem examination the cause of death has been found due to asphyxia as a result of strangulation by pressure over neck by hard and blunt object, as such, medical evidence also supports the prosecution version.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to her and accordingly her such prayer stands rejected in connection with Saraiya P.S. Case No. 165 of 2016, pending in the Court of learned S.D.J.M. (West) Muzaffarpur.

(Jitendra Mohan Sharma, J.)

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