

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31230 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -BHAGWAN BAZAR District- SARAN

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Rehana Khatoon, wife of Md. Hasan, resident of Village- Daulatganj, P.S.-
Bhagwan Bazar, District- Chapra (Saran).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 28-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.03.2017 in connection with Bhagwan Bazar P.S. Case No. 102
of 2017 for offences punishable under Sections 147, 341, 323,
324, 307, 337, 338, 504 and subsequently Section 302 of the
Indian Penal Code was added.

The prosecution case, as lodged by the informant, is
that while her son was going to his shop there was fighting
between him and Eqbal who started abusing him. On protest said
accused Eqbal started assaulting him and petitioner and other
family members came out from the house armed with bricks,



Lathi, Farsa and knife and started assaulting and when Janki Devi came to rescue the petitioner and all others all started pelting bricks and co-accused Hasan assaulted her by means a spade on her head resultantly she was seriously injured and succumbed to the injury.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and all the family members have been roped for the said offence and specific allegation is upon her husband who inflicted spade blow on the deceased. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that the petitioner was only a member of the mob.

However, learned APP for the State opposes the prayer for bail stating therein that all the accused persons including the petitioner have severely beaten the mother-in-law of the informant resulting to her death.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, Saran in connection with



Bhagwan Bazar P.S. Case No. 102 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating her relationship with the petitioner and that petitioner 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 her bail bonds.

(Nilu Agrawal, J)

Devendra/-

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