

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29801 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Fahima Khatoun wife of Babar Miyan, R/o Village- Bishanpur, P.S.-
Muffasil Chapra, District- Chapra (Saran).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Navin Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.02.2017 in connection with Chapra Muffasil P.S. Case No. 87 of 2016 for the alleged offences under Sections 302, 201 and 34 of the Indian Penal Code.

3. It is submitted that the petitioner being the mother of the deceased has been falsely implicated on mere suspicion and on general and omnibus allegation as there is not an iota of objective material to connect her with the alleged occurrence. The thrust of accusation of the informant who happens to be a *Chowkidar* is against the father of the deceased Babar Mian. The petitioner is a lady having clean antecedents.

4. A perusal of the case diary does not reveal any specific material against the petitioner.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 87 of 2016 on the



following conditions :-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner will be well represented on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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