

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34956 of 2018

Arising Out of PS.Case No. -577 Year- 2017 Thana -MASAURHI District- PATNA

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Gulshan Khatoon, D/o Mahboob Sah, resident of Village- Shahid Nagar,
Barni, P.S.- Dhanarua, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-07-2018

Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 21.11.2017 in
connection with Masaurhi P.S. Case No.577 of 2017 registered
for the offence under Sections 302, 120B/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation against the present petitioner is that
she conspired with other anti-social elements and has taken her
younger sister to a house and these anti-social elements, who
are named in the F.I.R., fired at her and thereafter, she was
killed.

Learned counsel for the petitioner submits that had
the petitioner been a conspirator as has been alleged, she would



not have conspired for the killing of her own sister. It is highly improbable that the elder sister will encourage others to kill her own sister for no apparent reason.

Case diary in this case was earlier called for, which has since been received.

Learned counsel for the State after perusal of the case diary submits that the story in the F.I.R. has been supported by one Hasan Imam, who has submitted in his statement before the police that he heard the gun-shot being fired from within the house and when he went to the place, the girl had been killed and another girl who was weeping had stated the names of four persons, named in the F.I.R. as the persons responsible for having killed the daughter of the informant.

Having heard learned counsel for the petitioner and the learned counsel for the State and upon consideration of the fact that the petitioner has already been in custody for nearly eight months, let the petitioner, above named, be released on bail on her furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Patna, in connection with Masaurhi P.S. Case No.577 of 2017,



subject to the following conditions:

(1) One of the bailors will be her own blood relative, preferably, mother, brother, sister.

(2) The petitioner shall not indulge herself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of her failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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