

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15866 of 2018

Arising Out of PS. Case No.-3232 Year-2014 Thana- COMPLAINT CASE District- Araria

Bibi Sajeda D/o Md. Ziaul @ Md. Ziabul @ Jabul, R/o Village- Sandalpur,
Panchayat- Gaira, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Tafezul S/o Md. Nuhu, R/o Village- Sandalpur Panchayat- Gaira, P.S.-
Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2018 Heard the learned counsels for the petitioner,
informant and the State.

The petitioner seeks bail in anticipation of her arrest in connection with Complaint Case No. 3232 of 2014 in which cognizance has been taken against her under Sections 420, 468/34 of the Indian Penal Code.

The petitioner is alleged to have falsely represented before the authorities that her husband is dead and has thereby obtained widow pension under the Lakshmibai Pension Scheme.

Learned counsel for the petitioner however has submitted that there is a matrimonial dispute between the petitioner and her husband/complainant and precisely because of the aforesaid dispute, that this false



case has been instituted.

It has further been submitted that earlier the petitioner had filed a case under Section 498A of the Indian Penal Code against her husband and has also been litigating with him for grant of maintenance. The petitioner has also filed a case against her husband for having, in conspiracy with the second wife, killed the son of the petitioner.

It has therefore been submitted that if the petitioner has been contesting cases against her husband, she would never declare him dead and that also for a petty amount of Rs. 500/-. In fact, it has been submitted by the petitioner that, on finding that the pension was being paid in the name of one Jubeda who has been shown to be the wife of the husband of the petitioner the pension was ultimately stopped. The petitioner, has never been the beneficiary of the aforesaid pension scheme.

Considering the aforesaid facts, the petitioner above named is directed to be released in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No. 3232 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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