

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46206 of 2018

Arising Out of PS.Case No. -41 Year- 2017 Thana -UPHARA District- AURANGABAD

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Tamanna Khatoon, W/o Aimullah Khan @ Ainul Khan, R/o Vill. + P.O.
Daudwan, P.S.- Uphara, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Firoz Raza, Advocate.

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending her arrest in a case for
the offence registered under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 22.11.2017,
the informant Mahboob Alam, Chaukidar, got an input that a dead
body of a female was lying in the drain near Hamidnagar Village.
The corpse could not be identified there by anybody.

It has been submitted by learned counsel for the
petitioner that the petitioner has been named in the FIR merely on
the basis of suspicion as there was previous enmity between the
parties. Except for suspicion, there is no other substantive
evidence to suggest the implication of the petitioner in the present



case. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest involvement of the petitioner in the present case. The petitioner is a lady.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, in connection with Uphara P.S. Case No. 41 of 2017 (G. R. No. 892 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

