

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31468 of 2018

Arising Out of PS.Case No. -165 Year- 2018 Thana -KHAZANIHAT District- PURNIA

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Roushan Khatoon W/o Md. Touhid Alam @ Md. Touhid , R/o Vill.- Islam
Nagar (Madhopara), P.S. - K. Hat (Sahayak), District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Dr. Bidhu Ranjan, Adv.
Miss. Prity Kunwar, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar Singh
For the Informant : Mr. Kumar Mangalam, ADV.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 28-08-2018 Heard learned counsel for the petitioner,

Informant and learned counsel for the State.

The petitioner is in custody since 18.03.2018
in connection with K. Hat (Sahayak) P.S. Case No. 165
of 2018 for the offence registered under Sections
302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits
that the entire story is false and fabricated as
admittedly, the deceased had only one injury on the
left side of his head and, therefore, the story, as made
out in the first information report that the petitioner
as well as her husband having inflicted repeatedly



blows by fists and slaps, the injuries as described would have been present on the body of the deceased. It is further submitted that on the previous day, the dispute had arisen between the two families on account of petty differences regarding fight between the children of the two families which have been resolved by the intervention of the neighbours.

Diary of the present case was called for which has since been received.

Learned counsel for the informant has seriously resisted the prayer for bail of the petitioner and stated that even the independent witness has testified before the police regarding the attack made by the petitioner as well as her husband and as such, he does not deserve to be extended the privilege of bail.

Learned counsel for the petitioner further submits that in view of the fact that post mortem report belies the prosecution story, the petitioner may be extended the privilege of bail.

Considering the aforesaid 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 the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 165 of 2018.

(Anjana Mishra, J)

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