

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12089 of 2018**

Arising Out of PS. Case No.-226 Year-2017 Thana- BARGANIA District- Sitamarhi

Jainab Khatoon, Wife of Shekh Akabar, R/o-Village-Akhata Got Ward no.-9,  
P.S.-Bairagania, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. AMITESH KUMAR

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      27-02-2018                      Heard learned counsels for the petitioner and State.

The petitioner being the sister-in-law (Bhabhi) of the victim/deceased, namely Samsa Khatoon is apprehending arrest in a case registered for the offences punishable under Sections 302, 323 and 379/34 of the IPC.

The prosecution case, as per fardbeyan of Md. Naseem, recorded by Sub-Inspector, Bairstaniya Police Station, is to the effect that the sister of the informant, namely Samsa Khatoon was married with Md. Asaraf, four years prior to the lodging of the present case. Subsequently, they were blessed with a female child. For non fulfillment of demand of motorcycle, Md. Asaraf used to assault the sister of the informant. Md. Asaraf had illicit relationship with someone and when the victim protested, her husband, Md. Asaraf assaulted her. About fifteen days prior to



the lodging of the present case, Md. Asaraf brought the sister of the informant from the informant's house with assurance that he will keep the victim with dignity. Hence, it is suspected that the accused persons including the petitioner killed the sister of the informant.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim, Md. Asaraf. The petitioner claims to be separate from the husband of the victim since last ten years. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR and during investigation, the case has been found true under Section 304B of the IPC.

Considering the thrust of accusation against the husband of the victim and the petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Bairagania P.S. Case No. 226 of 2017, subject to the condition



as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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