

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58507 of 2018**

Arising Out of PS.Case No. -108 Year- 2018 Thana -BENIPATTI District- MADHUBANI

=====

1. Shakila Khatoon W/o Md. Kaiyum, R/o Behta West Tola, P.S.- Benipatti,  
District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Atul Chandra

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

**ORAL ORDER**

2      20-09-2018                      Heard both sides.

The petitioner seeks bail in Benipatti P.S. Case No.108  
of 2018 registered under Sections 302, 307, 323, 34 of the Indian  
Penal Code.

The informant alleged that there is a partition between  
him and Md. Sirajul but while the informant was trying to  
construct stairs, the accused persons stopped the construction.  
Informant alleged that Md. Kaiyum and Md. Sirajul caught and  
assaulted him. Other accused persons also assaulted the informant.  
When the father and mother of the informant came, Md. Kaiyum  
and Md. Sirajul assaulted his father with lathi and his father died.  
The accused persons also assaulted his mother.

Learned counsel for the petitioner submits that no



specific allegation of assault is made against the petitioner. Md. Kaiyum and Md. Sirajul are the assailants of the father of the informant and the father of the informant died. The mother of the informant was injured but petitioner is not the assailant.

Considering the facts aforesaid that the petitioner is not assailant of the deceased and no specific allegation of assault is made against the petitioner, petitioner, who is a lady, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in connection with Benipatti P.S. Case No.108 of 2018, G.R. No.414 of 2018.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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