

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48227 of 2018

Arising Out of PS.Case No. -1042 Year- 2017 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Halima Khatoon, Wife of Late Md. Saheb Jan, Resident of Village- Barai,
P.S.- Hathauri, Dist- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Farzana Khatoon, Wife of Md. Sajid Akhtar, D/o Md. Iliyas, Resident of Village- Kapur Pakri, Police Station- Shikarganj, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. S. Jamil Akhtar, Advocate.
For the State : Mr. Panchanand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 1 of the bail application, in course of the day.

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 498(A), 379 of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. It is further submitted that cognizance has been taken under Sections 498(A) of the IPC and $\frac{3}{4}$ of the D.P. Act. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

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

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 S.D.J.M. (East), Muzaffarpur, in connection with Complaint Case No. 1042 of 2017, Trial No. 2775 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)

