

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16143 of 2018

Arising Out of PS.Case No. -2290 Year- 2015 Thana -BHAGALPUR COMPLAINT
CASE District- BHAGALPUR

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Bibi Meena, Wife of Md. Salim, Resident of Village-
Laluchak, Gumti No.12, P.S.- Ishakchak, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanima Khatoon, Wife of Late Md. Mofid, Resident of
Village- Laluchak, Gumti No.12, P.S.- Ishakchak, District-
Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-04-2018

The petitioner seeks bail in anticipation of her
arrest in connection with Complaint Case No. 2290 of
2015, dated 09.10.2015, instituted for the offences
punishable under Sections 436 and 34 of the Indian Penal
Code.

It has been alleged in the First Information
Report that the petitioner as well as the
complainant/opposite party No. 2 are neighbours, both of



whom are residing in rented accommodation. It has further been alleged that the petitioner and others always wanted to oust the complainant/opposite party No. 2 from her rented accommodation. On 05.09.2015, it has been alleged that her house was set on fire.

Learned counsel for the petitioner has submitted that for an occurrence dated 05.09.2015, a complaint was lodged on 09.10.2015, *i.e.* after about 25 days. That apart, it has been submitted that this allegation has been levelled only for the purposes of putting pressure on the petitioner and others to retrace their steps in the dispute which had erupted because of drainage. It has further been submitted that if at all the house had been set on fire, the complainant/opposite party No. 2 ought to have lodged a police case, in which event, the police would have gathered evidence with regard to burning of the house. There is nothing on record to suggest that the house was burnt except for the bald statement of the complainant/opposite party No. 2.

Under similar circumstances, other co-accused persons have granted the privilege of anticipatory bail by this Court.

Considering the aforesaid facts, let the petitioner, above named, in the event of her arrest or



surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Bhagalpur in connection with Complaint Case No. 2290 of 2015.

(Ashutosh Kumar, J)

Praveen-II/-

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