

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6751 of 2019

Arising Out of PS. Case No.-285 Year-2018 Thana- BAHADURGANJ District- Kishanganj

ROZY BEGUM @ ROZY PERWEEN, aged about 26 years, Wife of Absar
Alam, Resident of Village-Jurail, P.S. Bahadurganj, District Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the first wife of the husband of the victim, is apprehending arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

The prosecution case as per the written statement of Salimuddin submitted to the S.H.O., Bahadurganj P.S. is to the effect that the daughter of the informant was married with co-accused, Absar Alam on 30.07.2018 but their relationship was not cordial. It is further alleged that on 02.10.2018, the



informant received an information that his daughter has been killed by her in-law family members including the petitioner. Thereafter, the informant went to in-law's house of his daughter and found his daughter hanged.

It is submitted by learned counsel for the petitioner that the petitioner is the first wife of the husband of the victim and only on the basis of suspicion, accusation has been levelled against the petitioner. It is further submitted that there is no eye witness to the alleged occurrence, in fact, the petitioner was not being kept by her husband. Moreover, no external or internal injury has been found on the person of the victim. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the fact that the thrust of accusation is against the husband of the victim and the petitioner, being a lady, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing



bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Kishanganj**, in connection with **Bahadurganj P.S. Case No.285 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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