

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9868 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- BAKHTIARPUR District- Saharsa

Bibi Sahia @ Sahin@ Shaheen Khatoon, Daughter of Late Md. Mannan @
Md. Abdul Mannan, Resident of Village- Sitanabad South Ward No. 08, P.S.-
Bakhtiarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2019

Heard both sides.

The petitioner apprehends his arrest in connection with Bakhtiarpur P.S. Case No.258 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 302, 384, 504 and 506 of the Indian Penal Code.

The informant Md. Sohaib alleged that on 23.06.2018 while he was digging earth for foundation of house, Md. Mannan, Md. Suraj@Waliazam, Md. Nawab, Md. Nawaj, Md. Lalla, Md. Kalim, Md. Ali Raja, Bibi Sahin, Bibi Naj, Bibi Akbari, Bibi Akhtari, Md. Zahid, Bibi Khushboo@Chandni came there and Md. Manan demanded extortion of Rs. 2 lakhs when the brother of the informant, Md. Ohab, made protest, Md. Aliraj and Md. Nawab caught his brother. Md. Suraj @



Waliazam stabbed knife in stomach and chest. When the informant went to save his brother, Md. Kalim caught him and Md. Nawab assaulted him with knife in anus. During the course of treatment, Md. Waheb died.

The learned counsel for the petitioner submits that the petitioner is lady. She is daughter of Md. Mannan. All the family members of Md. Manan has been made accused but no specific allegation of assault is made against the petitioner. The specific allegation of assault is made against Md. Suraj @ Waliazam that he stabbed knife in chest and stomach of the deceased. There is allegation against Md. Nawab of causing dagger injury to the informant.

Taking into consideration the facts that the petitioner is a lady and although her name is in the FIR but no specific allegation of assault or any overtact is alleged against the petitioner, the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order 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 Chief Judicial Magistrate, Saharsa in connection with



Bakhtiarpur P.S. Case No.258 of 2018, subject to conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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