

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15106 of 2019

Arising Out of PS. Case No.-55 Year-2018 Thana- JOKIHAT District- Araria

ISHRATI, aged about 50 years, Female, Wife of Md. Habib, Resident of
Village - Serlanga, P.S.- Jokihat, District – Araria ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 26-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Jokihat P.S. Case No. 55 of 2018 (G.R. No. 615 of 2018) for the
offences alleged under Sections 304B, 120B and 34 of the
Indian Penal Code.

The accusation is of killing of the daughter of the
informant by her husband and in-laws.

Learned counsel appearing for the petitioner submits
that petitioner is the mother-in-law of the deceased. In fact,
daughter of the informant had gone in the field to collect wood
for preparing the meal and she became unconscious there. Her
husband, Abdul Irshad, taken her on shoulder to hospital for
treatment, but, she died in the way, but, due to ulterior motive
the informant lodged the present case. Further, submission is



that the petitioner is mother-in-law of the deceased and she has no criminal antecedent. Abdul Irshad, husband of the deceased, has already been granted the privilege of bail vide Cr. Misc. No. 32576 of 2019 on 01.07.2019 after custody of one year.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Jokihat P.S. Case No. 55 of 2018 (G.R. No. 615 of 2018) shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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