

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22949 of 2019**

Arising Out of PS. Case No.-101 Year-2017 Thana- BALTHAR District-
West Champaran

=====

ASHIYA KHATOON, aged about 30 years, female, Son of Wife of Zunaid Akhter Resident of Village - Shaikhtola Gauripur, P.S.- Balthar, Distt.- W.Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Abhinay Raj, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 302/34 of the Indian Penal Code registered in connection with Balthar P.S. Case No. 101 of 2017.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is mother-in-law of the deceased. After due investigation, police has submitted charge sheet against the husband and father-in-law of the deceased whereas the petitioner was not sent up for trial. The chargesheeted two accused persons aforesaid are in custody. Differing with the same however cognizance has been taken against the petitioner as well. Other accused persons Md. Anish and Rubaida Khatoon have been granted anticipatory bail by this Court in Cr. Misc. No. 20388 of 2018 and Cr. Misc. No. 10821 of 2019 respectively. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, West Champaran, Bettiah in connection with Balther P.S. Case No. 101 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

lbrar//-

U		T	
---	--	---	--

