

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30108 of 2019**

Arising Out of P.S. Case No.-86 Year-2018 Thana- KOCHADHAMAN District- Kishanganj

SAFAIYA KHATOON (F), aged about 24 years, Wife of Majiburrahman
Resident of Village - Palasbari, P.s.- Rauta, Distt.- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate
For the Opposite Party : Mr. Satyavrat Verma, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 18-09-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

The petitioner is in custody in connection with
Sessions Trial No.195 of 2018 arising out of Kochadhaman
P.S.Case No.86 of 2018 registered for an offence under Sections
302/34 of the IPC.

It is alleged in the written report that younger brother
of the informant, namely, Hamid Raja was unmarried. His
second brother has solemnized second marriage with this
petitioner whose conduct was not good. Petitioner used to move
with different person which was protested by Hamid Raja. It is
alleged that about six months prior to the occurrence petitioner
(Safaiya Khatoon) came closure to Md. Rehan Raja and Md.



Azam. Md. Azam and Md. Rehan were going somewhere by motorcycle and brother of the informant Hamid Raja was following him. Informant learnt that on 02.05.2018 at 6 P.M., his brother Hamid Raja has been killed on pukka road situated at east side of Budigari village and a woman in the name of Safaiya Khatoon (petitioner) was caught hold, who disclosed before the villagers that brother of informant Hamid Raja was killed by Md. Azam and Md. Rehan Raja by stabbing.

Learned counsel for the petitioner submits that he was not seen by any person on the spot. It is also submitted that there is no eye witness to the alleged occurrence and petitioner is a woman. He further submits that similarly situated co-accused has been granted bail by a coordinate Bench of this Court in Cr.Misc.No.2534 of 2019 vide order dated 04.02.2019. Petitioner is in custody since 03.05.2018 and having clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner be released 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 Sessions Judge, Kishanganj in connection with Sessions Trial No.195 of 2018 arising out of Kochadhaman P.S.Case No.86 of 2018, subject to



the condition that both the bailors will be the close relatives of
the petitioner.

(Prabhat Kumar Singh, J)

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