

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37445 of 2019**

Arising Out of PS. Case No.-6 Year-2019 Thana- WAJIRGANJ District- Gaya
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ISHRAT KHATOON Son of Suhail Khan Resident of Village - Ratan Bigha,
P.S.- Miskaur, Distt - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nand Kishore Prasad Sinha, Advocate.

For the Opposite Party: Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 16-09-2019 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 Wazirganj P.S. Case No. 6 of 2019.

3. It is submitted that the petitioner has been falsely implicated merely because she happens to be the *nanand* of the deceased's daughter of the informant. It is submitted that the petitioner has been living separately at her matrimonial home with her husband and four children, from the deceased at village Rohan Bigha which is about 40 Kms. away from the place of occurrence. It is stated that there was land dispute with regard to partition of ancestral property among the family members of the deceased with which the petitioner has no concern. It is further



submitted that the accusations are general and omnibus in nature and no specific overt act has been attributed to the petitioner. It is further stated that the husband of the deceased has not been made accused. No complaint involving cruelty or torture by the petitioner towards the deceased has been lodged in the past 12 years since the informant's daughter was married. The petitioner is a lady claiming clean antecedents.

4. Learned APP refers to the *post mortem* report in the case diary which shows that the victim suffered from burn injuries.

5. Having regard to the entirety of the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner by order dated 20.06.2019 pending in the Court of ACJM Ist, Gaya in connection with Wazirganj P.S. Case No. 6 of 2019 is hereby confirmed.

(Vikash Jain, J)

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