

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70455 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- BISFI District-
Madhubani

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Rizwana Khatoon wife of Tamanna, resident of Village- Bisfi (Patauna),
Police Station- Bifsi Patauna, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Zainul Abedin, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 302 and 201/34 of the Indian Penal Code
registered in connection with Bifsi (Patauna) P.S. Case No. 69 of
2018.

3. It is submitted that the petitioner has been falsely
implicated merely because she happens to be the *Nanad* of the
deceased. No overt act has been alleged against the petitioner
save and except that is on her instigation that the deceased was
killed. As a matter of act, the petitioner's brother and the
deceased were married about 20 years ago and the deceased had
committed suicide after loss of her children. The petitioner is a
married lady who has been living separately and has no concern
with the day of day affairs of deceased and her husband. The
petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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, Benipatti, Madhubani in connection with Bifsi (Patauna) P.S. Case No. 69 of 2018, 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) 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) The petitioner will be well represented in Court on each and every date during trial 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)

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