

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64674 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- JOKIHAT District- Araria

ANWARI KHATOON, aged 56 years (Female), Wife of Late Idrish, Resident of Village - Dhanpura, P.S. - Jokihat, Dist.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ramesh Kumar Singh, Advocate.
For the Opposite Party : Mr.Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 304 and 316/34 of the IPC.

The prosecution story, in brief, is that on 04.01.2019, while the informant after taking his pregnant wife Sarita Devi came at Referral Hospital, Jokihat, for check-up as there was severe pain in her abdomen, at the gate of Referral Hospital, Anwari Khatoon (petitioner) introducing herself as ‘Asha Worker’ of Hospital on the pretext of better treatment brought the informant and his pregnant wife at the clinic of Dr. Pappu who after checking his wife asked him to deposit Rs. 20,000/- for issue of baby. He deposited Rs. 12,000/- and told him that he will deposit the rest amount within two hours. After laps of two



hours, when he asked about his wife from 'Asha Worker'. She told him not to worry and asked him to manage the rest amount. In the meantime, when he met with his wife, he found his wife in critical condition with pain and when he asked 'Asha Worker' and the Dr. Pappu to refer his wife to Government Hospital, they became angry. On 05.01.2019, Dr. Pappu and 'Asha Worker' Anwari Khatoon referred his wife for better treatment and when the informant went to his wife, he found his wife Sarita Devi lying dead. When the informant started crying, Anwari Khatoon (petitioner) and Dr. Pappu managed their escape from there.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 27.07.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is a 'Asha Worker'. While the wife of the informant was on family way, the petitioner had suggested the informant for better treatment of his wife with one Dr. Pappu. In course of treatment, wife of the informant succumbed to death. No specific role has been assigned against the



petitioner. The petitioner had no intention to commit murder of the deceased. While the wife of the informant was being treated the petitioner was also present there. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No. 12 of 2019.

(Sudhir Singh, J)

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