

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11775 of 2020

Arising Out of PS. Case No.-528 Year-2019 Thana- PURNEA SADAR District- Purnia

1. Titi Khatoon Wife of Md. Shamim Resident of Mohalla - Kichayeen Tola,
Police Station - Purnia Sadar, District - Purnea.
2. Mamunia Khatoon Wife of Md. Khalil Uddin Resident of Mohalla - Abdulla
Nagar, Police Station - Purnia Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 14-09-2020 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sadar P.S. Case no. 528 of 2019 registered for the offence punishable under sections 457 and 380 of the Indian Penal Code.

As per allegation in the FIR, while the informant had gone to an exhibition, she stayed with her mother overnight. It is stated that on returning the next day, she saw her house burgled and various articles including cash to the tune of Rs. 8 lacs and jewellery, the details of which have been given in the FIR, had been stolen. It is stated that as a result of the incident, she fell ill and thus the delay in lodging of the FIR.



It is submitted by learned counsel for the petitioners that the FIR was registered against unknown. The name of the petitioners transpired in course of investigation on the confessional statement of co-accused Sohail Khan made before police. It is submitted that on the basis of the said confessional statement, the petitioners were implicated in other cases wherein she has been enlarged on anticipatory bail. No recovery of any incriminating article has taken place from the possession of the petitioners. They are ladies and have no connection with the alleged occurrence.

The application for bail has been opposed by learned APP for the State who submits that the petitioners have criminal antecedent and the witnesses in course of investigation have supported the case of the prosecution.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners together with no incriminating article having been recovered as a result of confessional statement of the co-accused made before the police, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Purnea



Sadar P.S. Case no. 528 of 2019 they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/ (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

