

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15723 of 2020

Arising Out of PS. Case No.-263 Year-2019 Thana- AAJAM NAGAR District- Katihar

MAZIDAN NISHA, wife of Md. Ainul Resident of Village - Shivrampur,
P.S.- Azam Nagar, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered under Section 302/34 of the Indian Penal Code but
cognizance has been taken under section 306/34 of the Indian
Penal Code.

Allegation against the accused persons is of
committing torture and assault and thereafter caused death of
the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The marriage had taken place 15 years ago. The petitioner happens to be mother-in-law of the deceased. The petitioner is a lady. She has got no concern with the alleged occurrence. She is separate in mess and property from the husband of the deceased. The husband of the deceased is in custody.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Azam Nagar (Salwari O.P.) P.S. Case No. 263 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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