

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17060 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

HAZRA KHATOON @ HAJRA KHATUN Wife of Md. Haider Resident of
Village - Mehasul, Ward No. 9, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Mukesh Kumar Singh, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Sitamarhi Mahila P.S. Case No. 40 of 2019 registered for the offence punishable under Sections 323, 498(A) and 504, 506/34 of the Indian Penal Code.



The allegation is regarding the accused persons including the petitioner herein, who is the mother-in-law of the victim lady, having tortured the victim lady on account of the non-fulfilment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. It is further submitted that the marriage of the victim lady with the son of the petitioner herein was solemnized 9 years ago and there are three children from the wedlock, as such, there is no question of the petitioner having tortured the victim lady for dowry and if at all, anyone is responsible it might be her son with whom there might be some differences of the victim lady.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking



into account the materials available on record as also the fact that the petitioner is the mother-in-law of the so-called victim lady, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Mahila P.S.Case No. 40 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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