

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23130 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- SHAHKUND District- Bhagalpur

1. BIBI VIPLI @ BIBI MORZINA KHATOON Wife of Md. Afroz @ Md. Afroz Alam Resident of Village-Juakhar, Police Station-Shahkund, District-Bhagalpur.
2. Bibi Sara @ Bibi Sara Khatoon Wife of Md. Chotu @ Md. Istiyak Resident of Village-Juakhar, Police Station-Shahkund, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Syed Ehteshanuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-09-2020 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.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 354, 307, 379, 506, 120B of the Indian Penal Code.



The prosecution allegation, in short, is that while the informant's brother along with his wife was returning from his in-law's house, the accused persons, variously armed, assaulted them due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to land dispute. The case was instituted for the offence under Section 307 and other allied sections of the I.P.C.. Subsequently, Mojhabi Khatoon died during the course of treatment on 17.03.2020. A requisition was made on 20.03.2020 by the Investigating Officer to add Section 302 of the I.P.C. In light of the said requisition, now the present case is for the offence under section 302 and other allied sections of the Indian Penal Code. The petitioners are ladies. Neither there is any allegation of assault alleged against them nor any specific injury is attributed against them.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 59 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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