

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28854 of 2020

Arising Out of PS. Case No.-658 Year-2019 Thana- MUFFASIL District- West Champaran

NAZMA KHATOON @ NAZIMA KHATOON W/o Naseem Dewan Resident
of Village- Jokaha (as per the FIR) Bhapatiya, P.S.- Bettiah Muffasil
(Manuapul), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-12-2020 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.

Heard the learned counsel for the petitioner and Sri
Kumar Ranjit Ranjan, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Bettiah Muffasil (Manuapul) PS case no. 658
of 2019 registered for the offences punishable under Section
304B/34 of Indian Penal Code.

The case of the prosecution in brief is that the
informant had solemnized the marriage of her daughter with one
Sageer Dewan whereafter two children were born out of the said
wedlock, nonetheless, the accused persons used to torture and



inflict cruelty on the deceased on account of non-fulfilment of the demand for dowry and on 20.11.2019, the informant is stated to have got information that her daughter has been murdered, whereafter she along with her family members had gone to the matrimonial home of her daughter and had found her dead body lying there.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is the aunt of the husband of the deceased and she has been living separately along with her husband, far away in a different village, as such is having no complicity in the matter.

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

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that the petitioner is the aunt of the husband of the deceased and is stated to be living separately since a long time in a different village and moreover, there is no specific allegation as against her in the FIR, I deem it fit and appropriate to admit the petitioner to the privilege of



anticipatory bail. Accordingly, the abovenamed petitioner, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul) PS case no. 658 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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