

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85080 of 2019

Arising Out of PS. Case No.-393 Year-2019 Thana- RAJAON District- Banka

1. Bibi Neha @ Bibi Nazrana @ Bibi Arooj Wife of Md. Taslim Resident of Village - Milki, P.S.- Rajoun (Nawada Bazar), District - Banka
2. Bibi Arzoo Khatoon @ Maimuda Khatoon @ Bibi Arooj Daughter of Md. Taslim Resident of Village - Milki, P.S.- Rajoun (Nawada Bazar), District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satish Chandra Mishra, Advocate
for the informant	:	Mr. Chandra Shekhar Sharma, Advocate
		Mr. Dharendra Nath Jha, Advocate
For the Opposite Party/s :		Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 18-03-2020 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed by the petitioners in connection with Rajoun (Nawada Bazar) P.S. Case no. 393 of 2019 registered for the offence punishable under sections 302 and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant was married to the maternal uncle of the petitioner no. 1 in the year 2001. It is stated that two boys were born out of the said wedlock, however, the differences between the daughter of the informant and other members in her in-laws family



continued. She was continuously tortured and ultimately on the date of occurrence, the informant got information that she had been done to death by the accused persons including the two petitioners herein.

It is submitted by learned counsel for the petitioners that petitioner no. 1 happens to be the niece (Bhagini) of the husband of the deceased and the petitioner no. 2 happens to be the daughter of petitioner no. 1. The allegations are general and omnibus in nature. The husband of the deceased is in custody and these petitioners who are ladies are in custody since 20.7.2019. They have no criminal antecedent. Further reliance has been placed on the statement of the minor son of the deceased recorded in course of investigation wherein he states that after quarrel between the deceased and her husband, the deceased consumed poison and died.

The application for bail has been opposed by learned counsel for the informant submitting that not only the petitioners are named in the FIR but there is direct allegation against them of torture which is supported by statement of the witnesses recorded in course of investigation.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above together with



the fact that the petitioners are ladies and are in custody since 27.7.2019, this Court is inclined to enlarge the petitioners on bail. Let the petitioners, above named, be enlarged on bail in connection with Rjoun (Nawada Bazar) P.S. Case no. 393 of 2019 on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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