

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87019 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- CHAUSA District- Madhepura

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SAMSA KHATOON Wife of Md. Mohid Resident of Village-Ghosai, P.S.-
Chousa, District-Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 01-06-2020 The present case was heard at length on 27.05.2020
and today, it has been listed under the heading “For Orders”.

The petitioner seeks regular bail in connection
with Chausa PS case no. 332 of 2018 instituted for the offences
punishable under Section 302/34 of Indian Penal Code.

The case of the prosecution in brief is that on
23.12.2018 at about 7.30 am in the morning, while the
informant along with his wife and children was at his home, the
petitioner and two other accused persons had arrived there and
started abusing the informant, whereafter they entered into the
house of the informant and snatched the son of the informant
aged about one year from the lap of the wife of the informant
and killed him by strangulating his neck and banging him in the
courtyard repeatedly.



The learned counsel for the petitioner has submitted that the petitioner is a lady and has been falsely implicated in the present case. It is further submitted that a general and omnibus allegation has been levelled against the petitioner and no specific allegation of any sort of overt act has been levelled against her. Lastly, it is submitted that the petitioner is languishing in custody since 02.08.2019 having a clean antecedent and her husband is in jail.

Having regard to the facts and circumstances of the case, considering the fact that a general and omnibus allegation has been levelled as against the petitioner herein and there is no specific allegation of any sort of overt act as also considering the fact that the petitioner is a lady and her husband is languishing in custody, I think that benefit of doubt can be given to the petitioner, as far as grant of bail is concerned. Moreover, the petitioner is having a clean antecedent and is languishing in custody since 02.08.2019 and is not likely to tamper with the evidence, thus, this Court directs for release of the petitioner upon her furnishing personal bond to the satisfaction of learned S.D.J.M., Udakishunganj (Madhepura) in connection with



Chausa PS case no. 332 of 2018.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned S.D.J.M., Udakishunganj (Madhepura) in connection with Chausa PS case no. 332 of 2018, failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

(Mohit Kumar Shah, J)

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