

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14600 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- THawe District- Gopalganj

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SHAHNAZ KHATOON D/o QASHIM MIAN Resident of Village -
Miralipur, P.S.- Thawe, Distt.- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Thawe P.S. Case No. 150 of 2020 Gr. No. 2684

of 2020 registered for the offences punishable under Sections

304B, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per

the prosecution story the informant who is the father of the

deceased had married her daughter to one Md. Qashim Mian in

2019. After sometime of the marriage, the husband of the



deceased and his family members started demanding dowry and tortured her mentally and physically. On 09.08.2020 the informant went to the house of his daughter and saw the house locked then he was told by the neighbors that his daughter has been killed and her dead body has been disappeared somewhere.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that the petitioner is married and lives with her husband at her matrimonial house. Learned counsel submits that the petitioner has got no criminal antecedent and is in custody since 11.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner happens to be the step-daughter of the deceased, the marriage between the deceased and the father of this petitioner was the second marriage, so far as the present petitioner is concerned, she is married and living with her husband at her matrimonial house and no reasonable person can accept the version of the prosecution that this petitioner may be instrumental in demand of dowry, further submission that this petitioner has remained in



jail in connection with the present case since 11.08.2020, investigation against her is complete but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 150 of 2020 Gr. No. 2684 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

