

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15877 of 2021**

Arising Out of PS. Case No.-109 Year-2020 Thana- CHAKIA District- East Champaran

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MUSTARI BEGUM @ MUSTARY BEGUM Wife of Inzar Resident of  
Village- Ramdiha, P.S.- Chakia, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                                          |
|--------------------------|---|----------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Shashank Shekhar, Advocate<br>Mr. Setu Prateek, Adv. |
| For the Opposite Party/s | : | Mr. Mohd. Nazir Ansari, APP                              |
| For the Informant        | : | Mr. Dipak Kumar Singh, Advocate                          |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      12-08-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per allegation in the FIR, it is stated that the six named accused persons including the petitioner herein came variously armed. They started to hurl abuses and accused Aajad struck with a lathi on the head of Sabana Khatoon. Thereafter it is stated that the accused persons assaulted and injured the others.

It is submitted by learned counsel for the petitioner



that the occurrence took place in a manner other than what has been narrated in the FIR. The petitioner has been falsely implicated in the case. There is case and counter case between the parties and the correct version having been given in the FIR lodged by Mastari Begum, Annexure-2 to the petition. It is further submitted that the allegations are general and omnibus in nature. Md. Taslim died in course of treatment more than 20 days later on 8.4.2020 which may in all likelihood be for the lack of proper treatment. The petitioner is a lady who has remained in custody since 28.9.2020, she has no criminal antecedent and investigation in the case has concluded.

Application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is allegation of overt act against her. A number of persons, details of which have been given in the FIR are brutally injured and one of them died in course of treatment. The independent witnesses in course of investigation have supported the prosecution case including the allegation against this petitioner. It is prayed that the bail be rejected.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



including the petitioner who is a lady having remained in custody for over 10 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Chakia P.S. Case no. 109 of 2020 on 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, Motihari, East Champaran.

**(Partha Sarthy, J)**

Prakash/-

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