

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3744 of 2021

Arising Out of PS. Case No.-3 Year-2017 Thana- C.B.I CASE District- Patna

Nashra Khatoon @ Julie, W/O Jamshed Hasan Resident Of Block B, Road No 1, Jayanti Park 3e, Vastu Vihar, Ps- Govindpur, District-Dhanbad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Central Bureau of Investigation, Patna. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N. A. Shamsi
For the Opposite Party/s	:	Mr. N. N. Tiwary, APP
For the C.B.I.	:	Mr. Bipin Kumar Sinha, SCCBI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2021 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the C.B.I. through virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending her arrest in a case registered under Sections 120B, 304B, 364, 498(A), 34, 201 of the Indian Penal Code and 3 and 4 of the D.P. Act.

Allegation against the accused persons is of committing torture and assault on the victim due to non-fulfilment of demand of dowry of one katha of land. Thereafter the sister of the informant went missing and it is alleged the



sister of the informant was done to death by the accused persons.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a lady. She is not named in the F.I.R.. As per the F.I.R., the victim is said to have left with her brother-in-law in the year 2007 and since then she has been traceless. An F.I.R. was instituted in respect of the same in the year 2014. The petitioner is a distant relative of the husband of the victim who is alleged to have been done to death for demand of dowry. There is nothing on record to show that she has been done to death. The only evidence is that she is still traceless. The husband of the victim/deceased is in custody. Except for suspicion, there is no other substantive evidence to suggest her implication in the present case. Other co-accused has already been granted anticipatory bail vide order dated 22.06.2016 passed in Cr. Misc. No. 41248 of 2015.

On behalf of the C.B.I., it is submitted that the name of the petitioner has come in course of investigation. The petitioner is suspected to have participated in the alleged



occurrence along with other family members.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of learned Special Judge, C.B.I.-II, Patna in connection with R.C. Case No. 3/S of 2017, (Madhubani Town P.S. Case No. 431 of 2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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