

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2425 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- KHAIRA District- Jamui

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1. ISRAFIL @ KAILU MIAN Not given Resident of Village - Dhanwe, P.S.- Khaira, Distt.- Jamui.
 2. Zahida Khatoon W/o Israfil @ Kailu Mian, Resident of Village - Dhanwe, P.S.- Khaira, Distt.- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 25-03-2021 Heard learned counsel for the petitioner no. 2 and learned APP for the State. The petition so far as petitioner no. 1 is concerned stood dismissed as withdrawn by order dated 29.1.2021.

The petitioner no. 2 has filed the instant application for grant of anticipatory bail apprehending her arrest in connection with Khaira P.S. Case no. 221 of 2020 registered under sections 304B, 120B and 34 of the Indian Penal Code.

As per allegation in the FIR, the sister of the informant was married to the son of petitioner no. 2. The accused persons including the petitioner no. 2 herein are stated to have physically and mentally tortured the sister of the



informant for non-fulfillment of demand of dowry to the tune of a motorcycle and Rs. 1 lac in cash. It is stated that she was killed subsequently.

It is submitted by learned counsel for the petitioner no. 2 that the allegations are general and omnibus in nature. The husband of the deceased as also the father-in-law of the deceased are both in custody. The petitioner no. 2 is a lady having no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Case diary called for in the case, has been received. On perusal of the case diary it transpires that besides the allegations against all the accused persons, specific allegation has been made against the elder brother of the husband of the deceased in paragraph no. 6 of the case diary.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the husband and father-in-law of the deceased being in custody, the Court is inclined to enlarge the petitioner no. 2 on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of six weeks from today and in the event of her arrest or surrender in connection with Khaira P.S. Case



no. 221 of 2020, she will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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