

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4819 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- PURNEA SADAR District- Purnia

RISTANA KHATOON D/o Mahiuddin and W/o Late Md. Babul Resident of
Kaliganj, P.S.- Sadar (Muffasil), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a

period of four weeks from today.

The petitioner seeks bail in connection with

Muffasil P.S. Case No. 183 of 2021 registered for the offence

under Sections 363, 364, 120(B), 34, 302 and 201 of the Indian

Penal Code.

The petitioner is named in the FIR and is in

custody since 14.04.2021.

The allegation against the petitioner is to commit

murder of her husband along with her brother-in-law (*Jija*).

Learned counsel appearing on behalf of the

petitioner submitted that for the only reason as the petitioner,



who is a lady having love affairs with the main accused, implicated in this case. He has further submitted that during course of the investigation it has been found that the petitioner talked with main accused, namely, Mohd. Chand through her mobile phone, but same cannot lead to a conclusion *ipso-facto* that the petitioner was involved in murder of her husband. It is further submitted that except this, nothing incriminating material has been surfaced during course of the investigation which may connect the petitioner in present occurrence. While arguing over the matter, it has further been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

APP appearing on behalf of the State while opposing the prayer for bail fairly conceded the fact that the petitioner is the wife of the deceased and allegation is limited to have love affairs with main accused, who alleged to have committed murder of husband of the petitioner.

Considering the facts and circumstances as mentioned above as the allegation is limited to have only love affairs with main accused, who alleged to have committed murder coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, who is a lady, above named, is directed



to be released on bail in connection with Muffasil Case No. 183 of 2021 (ST No. 267 of 2021) on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additonal Sessions Judge, Purnea subject to the following conditions:

“(i) Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be father of the petitioner, namely, Mohiuddin, who is the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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