

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11576 of 2022

Arising Out of PS. Case No.-894 Year-2020 Thana- ARARIA District- Araria

Farjana Wife Of Mr. Aslam R/O Village- Bhaag Sadulla, Idgah Tola, Ward
No.-13, P.S.- Araria (Madanpur), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 447, 341, 324, 325, 307, 302, 504, 34 of the Indian Penal Code.

Allegation against the petitioner is that she caught hold the informant's mother and her husband Aslam assaulted the informant's mother on head with iron rod due to which she received bleeding injury. In the meanwhile, other people assembled and Aslam and the accused petitioner fled away. The informant brought his injured mother with the help of villagers



to Sadar Hospital, Araria where she was declared dead.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and she has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that petitioner caught hold the deceased and the husband of the informant has assaulted the deceased. He further submits that there is no allegation of assault against the petitioner and petitioner and the informant are *pattidar* and there is admitted land dispute between the parties. The police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released 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 Court below where the case is pending in connection with Araria (Madanpur) P.S. Case No. 894 of 2020, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 her criminal antecedents, 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.

(Rajesh Kumar Verma, J)

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