

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13327 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- DARPA District- East Champaran

MOKIMA KHATOON Wife of Shabir Mian Resident of Village- Pipra, P.S.-
Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Raj Kishore Singh, APP
For the Informant/s :	Mr. Brajesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through virtual court proceedings.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that his brother, who is a minor, had gone to sleep but was not found the next day i.e., on 05.04.2021 at 6:00 AM, accordingly a search was made when Munilal Paswan disclosed that a body was lying in a wheat field, accordingly the informant reached the place of occurrence and identified the



body as of his brother, it is further alleged that earlier Sabir Mian had warned the informant about his brother love affairs with his daughter, accordingly based on suspicion the present FIR came to be instituted against six accused persons, including the petitioner, suspecting that they might have committed the occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case, it is next submitted that informant is not an eye-witness to the occurrence, it is also submitted that petitioner, being wife of Sabir Mian, has been made an accused in the present case,

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner, but are not able to meet the submissions of the learned counsel for the petitioner that the allegation hinges around suspicion, the informant is not an eye-witness and the petitioner, being wife of Sabir Mian, has been implicated.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a woman persuades the Court to enlarge the petitioner on anticipatory bail, the petitioner above-named, in the event of her arrest or



surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Darpa P.S. Case No. 43 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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