

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22527 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- KAMTAUL District- Darbhanga

Nazini Khatoon Wife of Abdul Khalid Resident of Village - Wajidpur, P.S-
Kamtaul, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with
Kamtaul P.S. Case No. 213 of 2021 registered for the offences
under Sections 498(A), 304(B), 120(B) and 34 of the Indian
Penal Code, 1860.

Allegedly this petitioner and her family members
strangled the informant's sister to death on account of the
demand of Rs. Two lakh having not been fulfilled by the victim.

The main submissions advanced by learned counsel
for the petitioner are that the petitioner is an old lady having



relationship as mother-in-law to the deceased and against her there is no any specific allegation in the FIR and she has been languishing in jail since 20.09.2021. Further submission is that on the body of the deceased any external injury was not found and the cause of her death has been opined to be Asphyxia, as a result, which suggests that the deceased was not subjected to any physical torture. Further submission is that the deceased committed suicide following a small petty issue having taken place in her family.

Learned counsel for the informant as well as learned APP appearing for the State has opposed the bail prayer and submitted that at the time of death of the deceased her husband was not present and he was abroad and at his direction given on mobile phone, the deceased was killed by the petitioner and his family members.

Heard both the sides and perused the FIR and postmortem report submitted by petitioner as Annexure 2. In the postmortem report, the cause of death of the deceased has been opined to be Asphyxia as a result of hanging and petitioner is stated to be mother-in-law of the deceased and against her any specific allegation with regard to alleged cruelty has not been made, and her specific role in the commission of the alleged



dowry death does not appear from the FIR and she has been languishing in jail since 20.09.2021. Considering these facts as well as the petitioner's custody period, a lenient approach can be taken in respect of petitioner's prayer. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in Connection with Kamtaul P.S. Case No. 213 of 2021.

(Shailendra Singh, J)

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