

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24326 of 2022

Arising Out of PS. Case No.-452 Year-2021 Thana- FATEHPUR District- Gaya

Gulshan Khatoon Wife of Sabir Ansari Resident of Village - Bhare, Police Station - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioner and learned counsel for the Informant as well as learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

According to prosecution case, in brief, is that marriage of informant's daughter was solemnized in the year 2016 with Md. Shahid according to Muslim rites and rituals and it is also alleged that informant has gifted a motorcycle and other articles as per his capacity but accused persons were demanding Rupees one lakh and tortured his daughter mentally and physically. It is further stated that several panchayati was



done but all in vain. On 09.12.2021 one Md. Irfan informed the informant's son by phone that his sister Tamanna Khatoon died due to current shock and on such information, informant's family went to village Bhore and found that his daughter was dead and lying on Diwan.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the ground that she is mother-in-law of the deceased. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner and in fact the husband of the deceased is in custody. The petitioner is in custody since 11.12.2021.

The learned counsel for the Informant and learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that allegation as alleged in the F.I.R. is corroborated.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Fatehpur



P.S. Case No. 452 of 2021, subject to 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, 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 his criminal antecedent, 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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