

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29545 of 2022

Arising Out of PS. Case No.-239 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

-
1. SATTAR @ ABDUL SATTAR Son of Abdul Hussain Resident of Ali Nagar, Police Station-K. Nagar (Maranga), District-Purnea.
 2. Tabassum Wife of Md. Ajmal, D/o Sattar Resident of Ali Nagar, Police Station-K. Nagar (Maranga), District-Purnea.
 3. Md. Habib @ Habib Son of Sattar Resident of Ali Nagar, Police Station-K. Nagar (Maranga), District-Purnea.
 4. Md. Quadir @ Quadir Son of Sattar Resident of Ali Nagar, Police Station-K. Nagar (Maranga), District-Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Hussain, Advocate
	:	Mr.Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners, at the outset, submits that petitioner nos. 1 and 3 were arrested during pendency of the present anticipatory bail application as such seeks permission to withdraw the anticipatory bail application with respect to them. Learned counsel also seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 4.

Permission is accorded.

The petitioner no.2 apprehends her arrest in a case



registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleges that his brother (deceased) was married to the petitioner about nine years ago and sister of the informant was married to son of Sattar @ Abdul Sattar, namely, Manjur, it is further alleged that deceased was working as a mason and while digging foundation of a house, he found one kg gold, next alleges that petitioner no.2 and her family members wanted to misappropriate the gold and his brothers-in-law were threatening to kill him but the petitioner no.2 took the gold to her parental house and when deceased went to his matrimonial home for getting the gold then on 06.06.2021 at 2:00 am, all the accused persons, including the petitioner, killed him and thereafter hanged his body to make out a case of hanging.

Learned counsel for the petitioner submits that petitioner no. 2 is a woman having clean antecedent and is wife of the deceased and has been falsely implicated in the present case by her brother-in-law for reasons best known to her, it is next submitted that even presuming what has been alleged in the F.I.R. is true then also no motive can be assigned to the petitioner no.2 for the reason that she was the wife of the deceased and it was the deceased who had found the gold while digging the foundation of the house as such there was absolutely no reason



for her to get her husband killed. Learned counsel further submits that informant is not an eyewitness to the occurrence and it may be a possibility that the accused persons, excluding the petitioner, might have committed the occurrence but then it absolutely does not stand to reason that as to why the family members of the petitioner would have indulged in such a crime and thus make their daughter and sister a widow.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with K. Nagar (Maranga) P.S. Case No. 239 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

