

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34088 of 2022

Arising Out of PS. Case No.-142 Year-2022 Thana- KOTWALI District- Patna

SHABANA KHATOON @ AMANA KHATOON Wife of Late Safique Miya
Resident of Village - Kamla Neharu Nagar, P.S. - Kotwali, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satrudhan Kumar

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Kotwali P.S Case No.
142 of 2022 registered for the offences punishable under
Sections 498A and 302/34 of the Indian Penal Code.

As per allegation, informant's sister was married with
one Md. Jakir Hussain @ Babloo ten years ago where a dispute
arose between his sister (deceased) and his Bahnoi for illicit
relationship with one Nasimiyan Khatoon and owing to said
dispute, she was done to death by her in-laws.

The main submissions advanced by learned counsel Sri
Satrudhan Kumar appearing for the petitioner are that the
petitioner happens to be mother-in-law of the deceased, as per



the FIR the main allegation is against husband of the deceased and there is no eye witness of the alleged occurrence of murder. Further submission is that as per the FIR there was tense relationship between the deceased and her husband on account of an illicit relationship between husband of the deceased and one namely, Nasimiyan Khatoon and the petitioner had no concern with the said relationship.

Smt. Asha Devi, learned APP appearing for the State has opposed the prayer for bail and submitted that against the petitioner there a serious allegation and the present case relates to murder.

Having regard to the facts and circumstances of this case and mainly taking into account the fact that an illicit relationship between the husband of the deceased and other lady namely Nasimiyan Khatoon is stated to be the cause to commit the alleged occurrence of murder, the petitioner is stated to be mother-in-law of the deceased and against her there is no specific allegation and as per petition she is stated to be 63 years old and has been languishing in jail since 23.03.2022, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

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 the Chief Judicial Magistrate,
Patna in Kotwali P.S Case No. 142 of 2022.

(Shailendra Singh, J)

s.hassan/-

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