

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65307 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- PRANPUR District- Katihar

Hadisan Khatoon, W/o Late Aalim Miyan Resident Of Village - Labha, P.S. -  
Pranpur, District - Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                           |
|----------------------------|---------------------------|
| For the Petitioner/s :     | Mr. Chandra Shekhar Anand |
| For the Opposite Party/s : | Mr. Anil Prasad Singh     |
|                            | Mr. Ratnakar Ambastha     |
|                            | Mr. Rajendra Prasad Sah   |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      31-03-2022                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the  
offences punishable under Sections 302, 201, 120(B), 498(A)/  
34 of the Indian Penal Code and Section 3/4 of the D. P. Act.

The learned counsel for the petitioner submits that the  
petitioner is in custody since 26.03.2021, he is a person with  
clean antecedent and charge-sheet has been submitted in this  
case.

The learned counsel for the petitioner further submits  
that the informant alleges that his sister was married to Md.  
Tahir about 10 years ago. Further the accused persons including  
the petitioner were demanding dowry of Rs. Two lacs. Further  
on 25.03.2021, the accused persons including the petitioner  
killed his sister and his two children by confining them in a



room and setting the room on fire.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the marriage was 10 years old. It is submitted that it absolutely does not stand to reason that after 10 years of marriage, the petitioner along with her family members would be demanding Rs. Two lacs. The learned counsel further submits that no doubt, on the face of it, the allegation appears to be heinous, but then the petitioner is the mother-in-law aged about 70 years. It is submitted that no grandmother would kill her own grandchildren. The learned counsel submits that petitioner is not staying with the husband of the deceased and is separate in mess and property as it has been pleaded in the bail application.

The learned counsel further submits that it may be a possibility that on account of quarrel between the deceased and her husband, the deceased took the extreme steps of committing suicide by putting herself on fire along with her children and thereafter, the petitioner along with others came to be implicated. The learned counsel further submits that informant is not an eye witness to the occurrence and thus, the allegation that the deceased was set on fire by the accused persons



including the petitioner is merely based on suspicion.

Learned counsel for the informant as well as learned A.P.P. opposes the bail application and submits that bail of co-accused Ajmer was rejected by order dated 29.01.2022 in Cr. Misc. No.50014 of 2021.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and is aged about 70 years and is separate in mess and property as pleaded in the bail application and also taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pranpur (Roshana O.P.) P. S. Case No.51 of 2021. The petitioner shall be released after framing of charge.

The application stands allowed.

**(Satyavrat Verma, J)**

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