

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10287 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- KEWATI District- Darbhanga

Rahmati Begam @ Rahmat Khatoon D/O Md. Rahman @ Abdul Rahman
R/v- Barhi, P.S.- Keoti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Shahnawaz Ali, Advocate
For the Informant	:	Mr. Baidya Nath Thakur, Advocate
For the State	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 04-10-2023 Heard Mr. Md. Shahnawaz Ali, learned counsel for the petitioner, Mr. Baidya Nath Thakur, learned counsel appearing on behalf of the Informant and Mr. Madan Kumar, learned APP for the State.

2. The petitioner is apprehending her arrest connection with Keoti P.S. Case No. 126 of 2022, F.I.R. dated 05.05.2022 registered for the offences punishable under Section 304(B) of the Indian Penal Code.

3. Allegation against the petitioner is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedents and she has been falsely



implicated in the present case only on the ground that she is married sister-in-law of the deceased and from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that in fact the informant is not an eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has been implicated in the present case. He further submits that she is married sister-in-law of the deceased and she is living in her in-laws house and she has no concern at all with the family affairs of the deceased.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits that there is allegation against the petitioner along with other co-accused persons that they have demanded dowry and thereafter they have committed the murder of the deceased and petitioner is one of the accused person of the present crime in question.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Darbhanga in connection with Keoti P.S. Case No. 126 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 her 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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