

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15204 of 2023

Arising Out of PS. Case No.-827 Year-2021 Thana- ARARIA District- Araria

Sadiya @ Sahida Wife of Shahabuddin Resident of village - Sisona, Ward
No.- 1, P.S.- Araria, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of occurrence, petitioner along with other co-accused
persons brutally assaulted and committed murder of the husband
of informant. The husband of informant died on the way to
hospital.

It is submitted that from bare perusal of FIR it is
apparent that informant is not eye-witness of the occurrence.
Allegation of assault is general and omnibus. In fact, husband of
informant entered in the courtyard of Md. Ashique in the mid



night and earlier the mobile of Md. Ashique was also stolen. The informant herself stated that he accused persons assuming him as thief was assaulted by the people. Petitioner is not acquainted with Md. Ashique. Petitioner is a lady having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 827 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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