

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17532 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- MAHESHKHUNT District- Khagaria

MAJLOOS KHATOON @ MAJLAMA KHATOON WIFE OF MD.
KETABUL KHAN R/O SALIMNAGAR, WARD NO.05, P.S.-
MAHESHKHUNT, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda,Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Maheshkhunt P.S. Case No. 98 of 2022, registered for the offences punishable under Sections 304 B and 34 of the Indian Penal Code.

The accused persons are stated to have killed the daughter of the informant on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner submits that the petitioner is innocent, she has been falsely implicated in the present case and she is having a clean antecedent. The learned counsel



for the petitioner has further submitted that the petitioner, who is the mother-in-law of the deceased victim lady, has got no role to play in the alleged occurrence and in fact no specific allegation of any sort of overt act has been levelled qua the petitioner herein. It is also submitted that the husband of the deceased victim lady, who might be the main accused in the present case, is already languishing in custody. Lastly, it is submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 17.05.2023, passed in Criminal Miscellaneous No.15767 of 2023.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the husband of the deceased victim lady is



already behind bars and moreover, similarly situated co-accused person has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria in connection with Maheshkhunt P.S. Case No. 98 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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