

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31518 of 2023

Arising Out of PS. Case No.-769 Year-2022 Thana- HISUWA District- Nawada

Sonam Parween @ Sonam Khatoon Daughter of Md. Mazid Resident of
Makbara Chowk, Hisua, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the Informant	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-10-2023 Heard Mr. Manoj Kumar Pandey, learned counsel
for the petitioner, Mr. Vibhuti Ranjan Sonvadra, learned counsel
appearing on behalf of the Informant and Mr. Abhay Kumar,
learned APP for the State.

2. The petitioner is apprehending her arrest
connection with Hisua P.S. Case No. 769 of 2022, F.I.R. dated
24.12.2022 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. As per prosecution story, on 23.12.2022 at about
09:00 P.M., the informant's son on receiving a phone call went
outside on bike saying that he will return in an hour but when he
did not return, the informant and his family members started
searching for his son but could not find him and he was not



receiving his phone. Thereafter, in the morning when the informant again tried to call his son, someone received and told him that his son is lying dead near Railway Gumti. It is alleged that his son was killed by the father of the girl and her family members with whom his son had a love affair.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case on the ground that the petitioner having a love affair with the deceased and except suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the co-accused who is family members of the petitioner namely Akhtari Khatoon and khushi Khatoon @ Sabun Khatoon have been granted the privilege of anticipatory bail vide order dated 21.07.2023 passed in Cr. Misc. No. 32578 of 2023.

5. Learned counsel appearing on behalf of the Informant and learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case that nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence except suspicion and other co-accused persons have been granted the



privilege of anticipatory bail, 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 ACJM VI, Nawada in connection with Hisua P.S. Case No. 769 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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