

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29707 of 2023

Arising Out of PS. Case No.-382 Year-2020 Thana- MAJHAULIA District- West Champaran

RUBI KHATOON Wife of Hasmuddin Resident of village-Bankat Mushahari,
Ward No. 2, Police Station Majhauliya, District West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the parties.

Photo-copy of the judgment of the Sessions Trial No.
434/2021 produced by the learned counsel for the petitioner in the
Court today.

Let it be kept on the record.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 302 and
201/34 of the Indian Penal Code pending in the learned court
below.

As per the prosecution case, petitioner along with
Hasmuddin Miyan and other named accused persons have
committed murder of informant's grand-daughter, namely, Rubana
Khatoon.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.



He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that some of the co-accused persons were apprehended by the police and trial was also conducted in the learned Court below in Sessions Trial No. 434/2021 in which they were acquitted by the learned Court below. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Majhauilya P.S. Case No.382/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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