

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40447 of 2023

Arising Out of PS. Case No.-38 Year-2019 Thana- KUMAR KHAND District- Madhepura

SARJUN KHATOON @ SAJRUN KHATOON W/O MD. RAHMAN R/O
Village- Rahta, PS. Kumarkhand, Dist. madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2023 Heard the parties.

The petitioner is in custody since 02.03.2023 in connection with Kumarkhand P.S. Case No. 38 of 2019 for the offence punishable under Sections 302, 201, 376 (D), 34 of the I.P.C. lodged on 06.03.2019 by the informant Md. Sadique.

As per the prosecution story, the petitioner had dispute with the family members of the accused persons. The informant daughter went out to sale bangles and did not return and subsequently her dead body was found and he had strong suspicion that these accused person are behind her death. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that the allegation is omnibus in nature, she is a lady already suffered and one Md. Shamsheer has since been granted bail vide order



dated 29.02.2020 passed in Cr. Misc. No. 15694 of 2022 (Annexure-4).

Learned APP opposes the prayer stating that due to land dispute, the lady was killed.

Considering the fact that the petitioner is a lady and in custody since 02.03.2023 (as stated in para 13 in the bail application) and do not have criminal antecedent and one of the accused has been granted bail, as stated above, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M. Madhepura, in connection with Kumarkhand P.S. Case No. 38 of 2019 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of her bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/-Jyoti/-

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