

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53511 of 2023

Arising Out of PS. Case No.-70 Year-2022 Thana- HIRAMMA P.S. District- Sheohar

SULEBUN KHATOON @ SALEBUN KHATOON W/O LATE SAMSUL
R/O VILLAGE- BANKUL, WARD NO. 9, PS. HIRAMMA, DIST.
SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Hiramma P.S. Case No.70 of 2022 instituted under Section 302, 201/34 of the IPC lodged on 06.10.2022 by the informant Amiri Paswan.

As per the prosecution story, the chowkidar gave information that the son of the petitioner has killed his wife Fatima Khatoon and the body is being taken away from his house for cremation. The petitioner was also found to be actively participating in it. The informant went to the house of the petitioner and found the same true. The villagers stopped them from doing so, and the body was taken for postmortem. Accordingly, the FIR.

Learned counsel for the petitioner submits that the case is out and out false, only to implicate murder theory was



incorporated. The lady had committed suicide and considering all the facts, the son of the petitioner, namely Md. Reyazuddin already been granted bail by a coordinate bench in Cr. Misc. No.9446 of 2023.

Learned APP opposes the prayer for bail.

Considering the aforesaid facts on record, she is a lady, the son has been granted bail, as stated above, is in custody since 06.05.2023 (para-1 of the petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Hiramma P.S. Case No.70 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Sheohar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) 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;

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

(Rajiv Roy, J)

Prakash Narayan

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