

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55949 of 2022

Arising Out of PS. Case No.-368 Year-2022 Thana- JOKIHAT District- Araria

SAMINA @ BIBI SHAMINA D/O Alauddin, Resident of Village- Matiyari,
P.S.- Jokihat, District- Araria. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 29-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with
Jokihat P.S. Case No. 368 of 2022 registered for offence
punishable under Section 302/34 of the Indian Penal Code.

The petitioner is wife of the deceased. There is
allegation against her that she, along with her mother and maternal
grandmother, committed murder of the deceased. The deceased
was residing in his *Sasural*. His mother, who is informant, got
information that the members of his *Sasural* had committed his
murder. She went there and saw the dead body of his son and
expressed her suspicion that these three ladies committed murder
of the deceased.

The learned counsel for the petitioner has submitted that
the informant, who is mother of the deceased, has not mentioned
in the FIR that there was dispute between husband and wife.



Though some witnesses, who are family members of the deceased, have stated this fact. The petitioner is an innocent lady. She is presently pregnant and she has no criminal antecedent. She is under custody since 14.07.2022.

On the other hand, Mr. J. N. Thakur, the learned APP has opposed the prayer for bail and submitted that in the FIR it has not been mentioned that there was dispute between husband and wife, but some witnesses have stated in their statements that the couple were usually quarrelling.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 368 of 2022, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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