

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67057 of 2023

Arising Out of PS. Case No.-256 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Shamima Khatoon @ Sairya Khatoon@ Sayra Khatoon Wife Of Md.
Nejamuddin @ Nejamuddin Ansari Resident Of Village- Banchhihuli, Ps-
Harsidhi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr.Shyam Kumar Singh, APP
For the Informant	:	Mr. Madhav Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Town P.S. case No.256 of 2023 registered for the offences punishable under Sections 304-B/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that she along with other in-laws of the daughter of the informant involved in committing murder of the daughter of the informant for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that

there is a general and omnibus allegation against the petitioner. The petitioner resides far away from the place of occurrence.

5. Learned counsel for the informant does not controvert the submission of learned counsel for the petitioner that there is a general and omnibus kind of allegation. It is also not denied that the husband of the deceased has already surrendered and is in judicial custody.

6. Having regard to the facts and circumstances, there being uncontroverted submission that the allegations against the petitioner are general and omnibus, this Court directs that in case of her arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Town P.S. Case No. 256 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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