

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70513 of 2022

Arising Out of PS. Case No.-538 Year-2022 Thana- SIKARPUR District- West Champaran

Koraisha Khatoon @ Kuraisha Khatoon Wife of Jahoor Miya @ Jahoor
Ansari R/V- Semra Ward No. 10, P.S- Shikarpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
18.08.2022 in connection with Shikarpur P.S. Case No. 538 of
2022, F.I.R. dated 04.07.2022 for the offences punishable under
Sections 304-B/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
his family members killed the daughter of the informant on the
pretext of non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case merely on the ground that the
petitioner is the step mother-in-law of the deceased. He further
submits that it appears from the F.I.R. that there is general and



omnibus allegation against all the accused persons including the petitioner and there is no specific allegation of any assault or overt-act is attributed against the petitioner and the husband of the petitioner namely, Jahoor Miya has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.02.2023 passed in Cr. Misc. No. 70030 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 18.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran at Bettiah in connection with Shikarpur P.S. Case No. 538 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 his 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.

(Rajesh Kumar Verma, J)

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