

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78766 of 2023

Arising Out of PS. Case No.-118 Year-2022 Thana- GHOGHARDIHA District- Madhubani

Shanaz Fatma @ Shahnaz Fatama W/O Md. Isthakhar Village- Ghoghardih
Usmanganj, Ps. Ghoghardih, Dist.Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP.
For the informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. Petitioner apprehends her arrest in connection with Goghardih P.S. Case No. 118 of 2022 dated 23.08.2022, registered for the offence punishable u/s 304(B)/34 of the IPC, pending in the court of learned Additional District and Sessions Judge, Jhanjharpur, (Madhubani).

3. As per the F.I.R., allegation against the petitioner along with other co-accused persons have killed the deceased.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case due to previous grudge. The accused persons have assaulted the deceased, petitioner is not named in the F.I.R..



During the course of investigation, on confessional statement of co-accused, Anwari Khatoon the name of the petitioner is transpired in this case. There is no evidence against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State and learned counsel for the informant vehemently opposing the bail petition submitted that postmortem report has disclosed a ligature mark in the middle part of neck extending horizontally up to below angle of mandible both side size 6cm x 2.5cm x 1.5cm (1) Bruises over the upper part of chest. No any external injury over the private part. Four ribs of upper part of chest is fractured. Learned counsel for the opposite party no. 2 further submits that the marriage was solemnized on 22.05.2022 and the victim was murdered on 22.08.2022 within three months of the marriage., hence she does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, considering the fact that the marriage was solemnized on 22.05.2022 and the victim was murdered on 22.08.2022 within three months of the marriage, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before



the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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