

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9276 of 2024

Arising Out of PS. Case No.-374 Year-2023 Thana- KALYANPUR District- East Champaran

Rehana Khatoon @ Rehana Nesha W/o Izhar Ansari @ Md. Ijhar Ali R/o vill
- Barharwa Mahanad, P.S. - Kalyan Pur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 374 of 2023 instituted for the offences
under Section 304(B)/34 of the Indian Penal Code

3. As per prosecution case, the allegation against the
accused persons including the present petitioner of committing
murder of the daughter of the Informant for non-fulfillment of
dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against her and has falsely been implicated in the present case.
The petitioner is the mother-in-law of the deceased. He submits



that the petitioner has no concern with the deceased and her husband as she has already been separated from them and she resides separately. He further submits that the case between the parties has been compromised and a compromise petition has also been filed. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The deceased has died due to illness and after her death, the Informant was also informed. The petitioner has no criminal antecedent and is languishing in judicial custody since 23.10.2023 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and there is direct allegation against the petitioner. During investigation, the witnesses in Para-10 & 34 have supported the prosecution case. Postmortem report also supports the prosecution case. The I.O. after investigation has submitted under Section 304(b)/302/34 of the Indian Penal Code. The offence alleged is serious in nature and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties, considering the entire facts and circumstances of the case and



taking into account there being general and omnibus allegation against the petitioner as also the petitioner being lady, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 374 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

