

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23615 of 2024

Arising Out of PS. Case No.-326 Year-2022 Thana- DAGARUA District- Purnia

Jehri Khatoon @ Jainab Khatoon W/o Md. Shahabuddin @ Samruddin R/o
Vill - Dagarua, P.S. - Dagarua, Dist. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 447, 341, 323, 302, 504, 506, 34 of the Indian Penal Code.

As per allegation in the FIR, on 27.09.2022 when the husband of the informant namely Md. Firoj Alam was coming to his home after offering Namaz, all the accused persons including the petitioner armed with deadly weapon surrounded him and dropped him on the ground. They assaulted him with punch, brick and stick due to which he



sustained injury and he succumbed to injuries on 30.09.2022.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. She has falsely been implicated in the present case due to previous enmity and dirty village politics. The F.I.R. has been lodged after inordinate delay of three days. No specific allegation has been attributed against the petitioner rather there is general and omnibus allegation against her. From perusal of the postmortem report of the deceased Md. Firoj Alam, it appears that the deceased was suffering from colic and his intestine had rotted, therefore, he got surgery of his stomach at J.L.N. Medical College, Bhagalpur and during course of surgery and treatment, the deceased succumbed. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 01.11.2023.. Similarly situated co-accused Md. Sahabuddin @ Samruddin has already been granted bail vide order dated 07.08.2023, passed in Cr. Misc. No. 38138 of 2023 by this



Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, petitioner being a lady as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dagarua P.S. Case No. 326 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II, Purnea.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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