

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33093 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- MAINATAND District- West Champaran

Nesra Khatoon Wife of Asraf Ali Resident of Villge- Langadi bashtha, P.S.-
Mainatand, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Sr. Adv. Mr. Hemant Ray, Adv. Mr. Sharad Kumar Verma, Adv.
For the informant	:	Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mainatand P.S. F.I.R. No. 172 of 2023 dated 30.11.2023 registered for the offences punishable u/s 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and her husband caught hold of both the hands of the informant's husband and the petitioner's son Shahid Ali fired on the temporal region of the informant's husband due to which, the informant's husband died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. There is specific allegation of firing against the co-accused, Shahid Ali rather the allegation against the petitioner is general and omnibus. The petitioner is the daughter-in-law of the informant, wife of her eldest son, Asraf Ali and after partition in family property, the petitioner and her husband have been living in a separate house and they have no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.12.2023.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Mainatand P.S. FIR No. 172 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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