

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32316 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Hasina Khatoon Wife Of Ahmad Farook Resident Of Village - Nawtan, PS-
GB Nagar, Tarwara, Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laldli Khatoon Wife Of Anwar Husain Resident Of Village- Shahpur, Ps-
Gb Nagar Tarwara Dist- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-05-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel for

the petitioner and learned Additional Public Prosecutor for the

State.

2. The petitioner happens to be sister-in-law (*gotani*)
of opposite party no. 2, apprehends her arrest in connection with
G.B. Nagar P.S. Case No. 424 of 2023, registered for the
offences punishable under Sections 498(A), 323, 307, 504, 506
and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of torture to
opposite party no. 2 along with other family members. It is
further alleged that the petitioner had illicit relation with the
husband of the opposite party no. 2 which is also the cause of



torture and atrocities to the opposite party no. 2.

4. Learned Advocate for the petitioner contended that the petitioner happens to be sister-in-law has been residing separately and in fact has no concern with the affairs of the opposite party no. 2 and her husband. It is further contended that the husband of the opposite party no. 2 had already filed divorce case bearing Divorce Case No. 307 of 2023 on 03.10.2023 itself and the present FIR has been instituted on 15.11.2023 making accusation against all the family members; this also shows the *mala fide* on the part of the opposite party no. 2.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner happens to be sister-in-law of the opposite party no. 2 and there is pending divorce case between the husband and wife, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Siwan in



connection with G.B. Nagar P.S. Case No. 424 of 2023, Trial
No. 3880 of 2022, subject to the conditions laid down in Section
438(2) Cr.P.C. with the further condition that one of the bailors
shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

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