

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38766 of 2024

Arising Out of PS. Case No.-662 Year-2023 Thana- SABAUR District- Bhagalpur

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Bibi Marium Wife of Md Azad Alam Resident of Village - Sultanpur Bhitti,
P.S.- Sabour, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Anshuman, Advocate

Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 27-09-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 34 of the IPC in
connection with Sabour P.S. Case No.662 of 2023.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant. It is next
submitted that petitioner had earlier instituted Sabour P.S. Case
No.275 of 2020 against the deceased under Section 376 of the
IPC. It is further submitted that on the date of occurrence at



04:00 AM the deceased again entered the house of the petitioner with an intention to commit rape, but then the petitioner along with her husband overpowered him and raised an alarm, on which the deceased tried to flee, but was apprehended by the neighbours who on alarm gathered at the place of occurrence. It is submitted that the deceased was assaulted and he died at the doors of the petitioner. It is next submitted that the fact that the dead body of the deceased was found at the door of the petitioner that in itself demonstrates that deceased for committing some wrong act at 04:00 AM in the morning had gone to the house of the petitioner. It is further submitted that the informant with a view to falsely implicate the petitioner alleges in the FIR that petitioner confessed that she killed the deceased. It is next submitted that extra judicial confession has no relevance. It is also submitted that petitioner will not abscond rather will cooperate in the trial and her husband is in custody.

4. The learned APP for the State opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a women, the petitioner above-named is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No.662 of 2023.

6. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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