

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45581 of 2023**

Arising Out of PS. Case No.-29 Year-2022 Thana- BELA District- Sitamarhi

Bechani Khatoon @ Gunaj Khatun, (F), aged about 43 years, Wife of Md. Rahamn Sah, R/O Village- Rampur Bakchaura, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Brij Bihari Tiwary, Advocate  
For the Opposite Party : Mr. Pranav Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

3      24-01-2024              Learned counsel for the petitioner is permitted to remove the defect(s) as pointed by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner is apprehending her arrest in connection with Bela P.S. Case No. 29 of 2022 dated 09.02.2022 registered for the offences punishable under Sections 302, 201 and 34 of the I.P.C.

4. As per prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the son of the informant.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely been implicated in the present case. It is submitted that the petitioner has been made accused in the present case merely on the basis of suspicion and it has come during the investigation that the deceased had left his house to meet the co-accused Muskan Khatoon as both of them were having love affairs and the informant side have falsely implicated the petitioner in the present case. Save and except the suspicion, no cogent material has surfaced during the course of investigation suggesting the involvement of the petitioner in the alleged occurrence. There is no eye witness to the alleged occurrence. Moreover, the co-accused Muskan Khatoon has already been granted anticipatory bail by the learned court below itself vide A.B.P. No. 1556 of 2023 under order dated 05.08.2023. It is further submitted that the other co-accused persons have also been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 44555 of 2023 under order dated 11.10.2023. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

6.Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sitamarhi in connection with Bela P.S. Case No. 29 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

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