

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45639 of 2024**

Arising Out of PS. Case No.-83 Year-2024 Thana- SIWAN CITY District- Siwan

Rijwana Khatoon Wife of Munna Miyan @ Mohammad Munna R/O Vill.-
Nawalpur, P.S.- Siwan Town, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP
For the Informant : Mr. Ram Chandra Sah, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 302/34 and 120(B) of the Indian Penal Code & Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and is a woman and has been falsely implicated in the instant case. It is next submitted that from perusal of the allegation,, as alleged in the F.I.R., it would manifest that on account of dispute relating to construction of a boundary wall, the alleged occurrence is alleged to have taken place and on the order of Nawabul, Batla



Pintu is alleged to have shot the deceased. It is next submitted that petitioner is not named in the F.I.R. and does not have any concern with Nawabul and she came to be implicated in the instant case during the course of investigation based on the statement of Shabnam Siddiqui recorded at para-45 of the case diary, wherein she has stated based on suspicion about the involvement of the petitioner in the occurrence. The learned counsel submits that entire allegation hinges around suspicion.

4. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that petitioner is not named in the F.I.R and her name transpired during course of investigation. At this stage, the learned counsel appearing on behalf of the informant submits that in the event if the privilege of anticipatory bail is granted to the petitioner, petitioner may abscond or tamper with the evidence, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siwan Town P.S. Case No.83/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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