

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58342 of 2023

Arising Out of PS. Case No.-353 Year-2018 Thana- MUNGER MUFFASIL District- Munger

Rizwana Begum @ Rizwana Khatoon Wife Of Md. Khurshid @ Md.
Khurshid Alam R/O-Bardah Mirzapur, P.S.-Mufassil, Distt.-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 27-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No.353 of 2018, lodged on 30.09.2018,
under Sections 121/379/414/120B/34 of the Indian Penal Code,
under Section 39 of UAP Act and under Sections 25(1-A)/25(1-
AA)/25(1-B)/26/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged
against ten named accused persons other than the petitioner.

4. Learned counsel for the petitioner submits that the
name of the petitioner has come as per the rejection order by
virtue of confessional statement of co-accused Shamsher.
Counsel submits that the petitioner is innocent and has
committed no offence. Counsel submits that for one event there



were six criminal cases were filed and in all criminal cases the name of the petitioner has been implicated. Counsel submits that nothing has been recovered from her possession nor she has been named in the FIR, therefore, Arms Act is not at all made out. She is in custody since 29.01.2019. Counsel also submits that series of co-accused have been granted bail by the Coordinate Benches of this Court which is annexed as Annexure-2 series.

5. Learned counsel for the State opposes the prayer for bail and submits that petitioner's name is not there but this case is relating to recovery of AK-47 rifle.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **on being satisfied that petitioner is not absconding in the following cases, i.e., (i) Muffasil P.S. Case No.334 of 2018, (ii) Muffasil P.S. Case No.352 of 2018, (iii) Jamalpur P.S. Case No.258 of 2018, (iv) Muffasil P.S. Case No.357 of 2018, (v) Muffasil P.S. Case No.323 of 2018 and (vi) Kotwali P.S. Case No.555 of 2018**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Munger, in connection with Muffasil P.S. Case No.353



of 2018, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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