

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60172 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- SHAMPUR District- Munger

1. Amna Khatoon, W/O Late Minatullah, R/O Village- Goura, P.S- Shampur, Distt.- Munger.
2. Jubeda Khatoon, W/O Md. Baseer, R/O Village- Goura, P.S- Shampur, Distt.- Munger.
3. Dukhani @ Batulan Khatoon, W/O Md. Tasleem, R/O Village- Goura, P.S- Shampur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hafiz Shahbaz Arif, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 31-08-2024 Heard Mr. Hafiz Shahbazz Arif, learned Advocate for the petitioners and learned APP for the State.

2. The petitioners seek regular bail, who are in custody in connection with Kharagpur (Shampur) P.S. Case No. 11 of 2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326(a), 307, 302, 504/120(B) of the Indian Penal Code.

3. Based upon the fardbeyan of the informant, the prosecution alleged that on 13.03.2024, the deceased went to his Sasural to bring his wife. However, despite his request the same was denied and all the F.I.R. named accused persons, including the petitioners, brutally assaulted, due to which he sustained serious injuries, which led to his death during course of



treatment in National Hospital, Munger.

4. Learned Advocate for the petitioners adverting to the F.I.R., firstly contended that petitioner no.1 is none else, but the wife of the deceased and it is hard to believe that a wife would be indulged in killing of her husband. The petitioner nos. 2 and 3 are also the in-laws family members and only in order to wreak vengeance and settle the score, the present F.I.R. has been instituted against the female members of the family. It is next contended that during course of post-mortem, though multiple injuries have been found over the body of the deceased, but it is also the fact that there is no specific allegation against these petitioners. It is lastly contended that the petitioners are females and now they have been incarcerated since 15.03.2024 and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that multiple injuries found over the body of the deceased clearly suggest that the deceased was brutally done to death by assaulting him by all the accused persons. Moreover, the petitioner nos. 1 and 2 bear criminal antecedent and, as such, they do not deserve the privilege of bail.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of



allegation and the fact that petitioner no.1 is none else, but the wife of the deceased; moreover, the petitioners are females and now they are incarcerated since 15.03.2024, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kharagpur (Shampur) P.S. Case No. 11 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

