

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54884 of 2023

Arising Out of PS. Case No.-260 Year-2021 Thana- KATEYA District- Gopalganj

NURJAHAN KHATOON @ NURAJAHAN KHATOON W/O ASLAM
MANSURI R/O VILLAGE- KAVLARAHI, PS. KATEYA, DISTT.
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla

For the Opposite Party/s : Mr. Anil Kumar

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

ORAL ORDER

5 12-01-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tr. No. 8/2022 (arising out of Kateya P.S Case No. 260/2021) dated 25.07.2021 registered for the offence punishable u/s 302 of the Indian Penal Code

3. As per the prosecution case, the petitioner is alleged to have committed murder of her three daughters and threw them into the pond. But the fourth daughter Afreena Khatoon aged about five years was rescued by two passersby named Chhathu Yadav and Rajan Yadav who saw the occurrence. The character of the petitioner is suspicious who is the daughter-in-



law of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. There is no eye witness in this case. Chhathu Yadav and Rajan Yadav who saved the life of 4th child, were not examined by the prosecution. The statement of the informant in three stages are different. It is further submitted that the post-mortem report reveals that the cause of death of all the three children is Asphyxia due to drowning and the time of death of all the three children was different i.e. first child Gulwasha Khatoon aged about 8 years died within 48 hours and the other two children namely Mustaiya aged about 3 years and Tayasa aged about 2 ½ years died within 24 hours. The petitioner is in custody since 26.07.2021. It is further submitted that the trial has not been concluded preferably within 9 months as directed by this Court *vide* order dated 21.09.2022 passed in Cr. Misc. No. 14446 of 2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that it is a case of triple murder and there is specific allegation against the petitioner who is the mother of the deceased. The said



offence is against humanity. It is further submitted that the bail of the petitioner has earlier been rejected by this Court *vide* order dated 21.09.2022 passed in Cr. Misc. No. 14446 of 2022.

6. Considering the aforesaid facts and circumstances of the case as well as the specific allegation and the heinous nature of the offence, I am not inclined to enlarge this petitioner above-named on bail.

7. Learned Trial Court is further directed to expedite the trial and conclude the same within 6 months.

8. The bail petition stands rejected.

(Chandra Prakash Singh, J)

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