

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60687 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Chandani Begum, aged about 23 years, Female, W/O Ishaque Alam @ Isaq Alam, R/O Village- Angarh Bhagal, P.S- Kochadhaman, District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate

For the Opposite Party : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kochadhaman P.S. Case No. 251 of 2023, giving rise to Sessions Trial No. (S.T.) 40 of 2024 dated 23.10.2023 registered for the offences punishable under Sections 302, 201, 120B read with Section 34 of the I.P.C.

3. As per the prosecution case, the son of the informant was murdered by some unknown miscreants. It is further alleged that some days ago, the petitioner used to talk on phone with the deceased for which some scuffle took place between the petitioner's husband Ishaque Alam and the deceased. The said Ishaque Alam also threatened to kill him. The informant



believed that his son was murdered by the petitioner's husband Ishaque Alam.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. Her name has surfaced in the present case as the informant in her fardbeyan has stated that his son used to talk with the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The informant is not an eye witness to the alleged offence. There is an ordinate delay in lodging of the F.I.R. which creates doubt about the prosecution story. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 29.10.2023.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner and has submitted that in paragraph no. 30 of the case diary, it has been mentioned that there were several telephonic conversations between the deceased and the petitioner prior to the said incident.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on 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 Additional District and Sessions Judge-III, Kishanganj in connection with Kochadhaman P.S. Case No. 251 of 2023, giving rise to Sessions Trial No. 40 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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