

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76855 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- KAKO District- Jehanabad

Rumi Praveen Moin Mian @ Md. Moinuddin Village- Sulemanpur P.S-Kako
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-10-2024 Heard Mr. Arbind Kumar Singh, learned counsel for
the petitioner and Mr. Yogendra Kumar Singh, learned APP.

2. The petitioner is in judicial custody in connection with Kako P.S. Case No. 149 of 2024 for the offences punishable under Sections 302/307/120(B)/34 of the IPC, lodged on 05.06.2024 by the informant, Shahida Khatoon.

3. As per the prosecution story, the informant alleged that her husband, Md. Shakeel Mian was called by Md. Shahzad and when he went to the place and talking to him, the allegation is that Md. Arman and Md. Rizwan armed with the knives inflicted fatal blow on the chest, belly and neck of her husband. When Md. Shahzad came to rescue, he was also assaulted. The husband was rushed to Sadar Hospital, Jehanabad, where he succumbed to the injuries. Md. Shahzad was referred to PMCH, Patna for treatment. Md. Shahzad was married to this petitioner



and both Md. Arman and Md. Rizwan are her brothers. Two years ago, the marriage was dissolved, for which, the accused persons used to hold the husband of the informant responsible as he had negotiated the marriage. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that perusal of the FIR would show that the allegation of assault is on her two brothers, only to implicate, she has been dragged and conspiracy theory has been incorporated. Further, the divorce took place two years ago and had there been any animosity, the occurrence could have taken place earlier.

5. Learned APP opposes the prayer submitting that both the brothers have killed the informant's husband and conspiracy theory has been attributed to this petitioner.

6. Taking into account the aforesaid submissions as also the fact the perusal of the FIR would show that specific allegation is against Md. Arman and Md. Rizwan, this petitioner is a lady, sister of the two accused, she is in custody since 06.06.2024 (para-11 of the petition) and has got no criminal antecedent, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with



two sureties of like amount each to the satisfaction of learned
SDJM, Jehanabad in connection with aforesaid P.S. Case subject
to the following conditions:

(i) one of the bailors should be the family member of
the petitioner who shall provide official document to show
his/her 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
bond by the Trial Court itself;

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

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

(Rajiv Roy, J)

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