

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84397 of 2023

Arising Out of PS. Case No.-407 Year-2023 Thana- MADHAURAH District- Saran

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Awada Khatoon, Wife Of Md. Nizamuddin @ Md. Nizamudin, R/O Village-
Jodhauri Bathana, P.S.- Marhowrah, Dist.- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Marhowrah P.S. Case No.407/2023 lodged on 09.07.2023 under
Section 302/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons including the
petitioner alleging therein that they in connivance with each
other have killed the daughter of the informant at her house and
fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The daughter of the informant and son of the petitioner was in love affair and due to frustration and petty issue, the victim committed suicide and the present FIR has been lodged by the mother of the deceased in retaliation and with a view to teach a lesson to the petitioner and her family members. He further submits that the entire family members of the petitioner have been made accused in this case. The petitioner is in custody since 11.07.2023 having no criminal antecedent. The chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that there is allegation of murder in connivance with each other in the FIR.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of



the learned CJM, Saran at Chapra, in connection with Marhowrah P.S. Case No.407/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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