

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 85095 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- HUSSAINGANJ District- Siwan

1. Serajuddin Khan Son of Late Ali Sher Khan Resident of Village - Gosopali, Police Station - Hussainganj, District- Siwan.
2. Shabna Khatoon @ Chhotki @ Shabana Praween Wife of Wasim Raza Resident of Village - Bharatpura, Police Station - G.B. Nagar, District- Siwan.
3. Ajmeri Khatoon Wife of Nayeem Khan Resident of Village- Harnatar, Police Station - Mairwa, District- Siwan.
4. Angoori Khatoon Wife of Arsad Khan Resident of Vilage - Hardiya, Police Station- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21424 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- HUSSAINGANJ District- Siwan

1. Najma Khatoon @ Subbi Khatoon W/o Late Azad Khan R/o vill - Gosopali, P.S. - Hussianganj, Distt. - Siwan
2. Harun Khan Son of Serajuddin Khan R/o vill - Gosopali, P.S. - Hussianganj, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25754 of 2024

Arising Out of PS. Case No.-214 Year-2023 Thana- HUSSAINGANJ District- Siwan

Amna Khatoon Wife Of Serajuddin Khan Resident Of Village- Gosopali, Ps- Hussainganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 85095 of 2023)

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the State : Mr.Akbar Ali

For the Informant : Mr. Rakesh Kumar Shrivastava

(In CRIMINAL MISCELLANEOUS No. 21424 of 2024)

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the State : Mr.Upendra Kumar

(In CRIMINAL MISCELLANEOUS No. 25754 of 2024)

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the State : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 14-05-2024 Earlier, vide order dated 30.04.2024, the bail petition of petitioner no. 2 Harun Khan (in Cr.Misc. No. 21424 of 2024) already stood dismissed as withdrawn.

2. Petitioners of all the aforesaid three cases apprehend their arrest in Hussainganj P.S. Case No. 214 of 2023, registered for the offence under Sections 302, 120(B) of the Indian Penal Code.

3. In Cr.Misc. No. 85095 of 2023, petitioner no. 1 is father-in-law and petitioner nos. 2 to 4 are married sister-in-law (*nanad*) of the deceased, whereas, in Cr.Misc. No. 21424 of 2024, the petitioner namely Najma Khatoon @ Subbi Khatoon is *Gatani* of the deceased, and in Cr.Misc. No. 25754 of 2024, the petitioner namely Amna Khatoon is mother-in-law of the deceased.

4. Learned counsel for the petitioners submits that husband of the deceased has already surrendered in the learned



Court below. So far as aforesaid petitioners are concerned, there is general and omnibus allegation. Petitioners are separate in mess and property and have got no concern with the family affairs of deceased and her husband.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for anticipatory bail of petitioners and submitted that these petitioners were also instrumental in causing death of the deceased. The *post-mortem* report also supports the prosecution case.

6. However, considering the aforesaid facts and circumstances and the fact that petitioners are in-laws members of the deceased and there is general and omnibus allegation against them, the prayer for anticipatory bail of petitioners is allowed.

7. Let the petitioners namely Serajuddin Khan, Shabna Khatoon @ Chhotki @ Shabana Praween, Ajmeri Khatoon & Angoori Khatoon (in Cr.Misc. No. 85095/2023), Najma Khatoon @ Subbi Khatoon (in Cr.Misc. No. 21424/2024) and Amna Khatoon (in Cr.Misc. No. 25754/2024), in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IX, Siwan in connection with Hussainganj P.S. Case No.214 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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