

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86068 of 2023

Arising Out of PS. Case No.-802 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Chandaniya Khatoon Alias Chandani Khatoon Late Shahrukh Khan @ Sharun
Azad R/o Village Singhiya Sagar, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 26-07-2024 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 302, 326/34 of the Indian Penal Code.

It is a case of commission of murder by

sprinkling petrol on the body of the son of the informant

namely Shahrukh Khan @ Sharun Azad by all the F.I.R

named accused persons including the petitioner who is

wedded wife of the deceased, as a result of which, he

died due to burn injuries.



It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The petitioner is wife of the deceased and she has no concern with the death of the deceased. No independent witness has come forward to support the case of the prosecution. The petitioner is lady and she has been implicated in this case since she happen to be the wife of the deceased. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is wife of the deceased and the deceased died at his Sasural due to burn injury. The doctor also opined the cause of death as Toxaemia due to burn injuries caused by flame. During investigation, the witnesses have supported the case of the prosecution.

In pursuance to the direction of this Court, a



report with regard to the present stage of the case has been received which has been kept at Flag-E. The report of learned Judicial Magistrate, 1st Class, East Champaran, Motihari dated 11.07.2024 suggests that investigation is going on against the petitioner and charge sheet/final form has not been submitted by the Investigating Officer up-till now.

Considering the gravity and seriousness of the offence, this Court is not inclined to grant anticipatory bail to the petitioner. The prayer for grant of anticipatory bail to the petitioner stands rejected.

The petitioner may surrender before learned Court below and pray for regular bail which may be considered by the Court below without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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