

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2795 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- DHORAIYA District- Banka

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Bibi Samaiya Khatoon @ Sumiya Khatoon @ Bibi Samiya Wife of Md.
Bechan @ Md. Vechan Resident of Village - Phattuchak, P.S. - Dhoraiya,
District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 13-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 421 of 2024 arising out of Dhoraiya P.S. Case No. 269 of
2024, registered for the offences punishable under Sections 80(2),
61(2) and 3(5) of the B.N.S. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the
informant alleged that his daughter, namely, Bibi Khusboo had
earlier solemnised marriage with Md. Sajjad from whom she had
eight years old son. The informant has further stated that Md.
Alijan had abducted his daughter and had taken away her to
Mumbai and they were residing together there. It was further
stated that the daughter of the informant was subsequently called
back to the house of Md. Alijan where his father, mother and



younger brother were residing. On 05.08.2024, the petitioner was informed that his daughter died and he raised suspicion that his daughter had been murdered by the in-laws at the instance of the husband Md. Alijan.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is the lady who happens to be the mother-in-law and she was arrested from the place of occurrence on 06.08.2024. The learned counsel has further submitted that the cause of death has been stated to be strangulation. The learned counsel has pointed out that the husband and father-in-law of the deceased had suo motu surrendered on 22.11.2024 and since then they are in judicial custody and the allegation against the petitioner is to have participated in the murder of her daughter-in-law, is false and fabricated. The learned counsel has lastly submitted that the petitioner has clean antecedent and she is in custody since 06.08.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the postmortem report clearly states about the cause of death to be strangulation/throttling by soft and blunt object like palm.

6. Considering the aforesaid facts and circumstances



and taking into account that the petitioner was arrested from house while her husband and her son i.e., the brother-in-law of the deceased had escaped from the place of occurrence and taking into account the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Additional District & Sessions Judge-III, Banka, in connection with S.T. No. 421/2024 arising out of Dhoraiya P.S. Case No. 269 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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