

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24783 of 2025

Arising out of PS. Case No.-29 Year-2024 Thana- HAYAGHAT District- Darbhanga

Saiful Khatoon, Wife of Md. Naseer, R/o Vill- Rasulpur, P.S- Hayaghat,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Hayaghat P.S. Case No. 29 of 2024 dated 26.03.2024 instituted for the offences under Sections 302, 201 and 120(B) of IPC. He has no criminal antecedent.

3. The prosecution case is to the effect that the daughter of the informant/petitioner was found to be missing from the house of the informant and when her husband looked for her they came to know on 25.03.2024 in the early morning that a dead body of a girl is lying in the maize field. It was suggested that some unknown persons had killed the daughter of the informant and thrown the dead body.

4. Learned counsel for the petitioner submits that the



petitioner happens to be the informant of the case and was mother of the deceased girl. It has further been submitted by learned counsel for the petitioner that the name of the petitioner has surfaced in the confessional statement of the husband of the petitioner who was arrested on 27.03.2025 and had stated that he has killed his daughter and has thrown dead body in the field to which the petitioner is said to have been a witness. It is also submitted by learned counsel for the petitioner that even if the confessional statement is taken into account there is nothing to connect the petitioner with the alleged incident barring the fact that she has been stated to have knowledge of the killing of her daughter. It is next submitted by learned counsel for the petitioner that even during the investigation except the confessional statement there is nothing to show the complicity of the petitioner. It is lastly submitted by learned counsel for the petitioner that the petitioner has clean antecedent and is in custody since 10.08.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the husband of the petitioner has confessed the guilt and there is confessional statement of the co-accused that they were involved in killing her.



6. Considering the aforesaid submissions of respective counsel and taking into account the fact that during the course of investigation the husband of the petitioner, who was father of the deceased has accepted his guilt of killing his daughter and no incriminating substance has been shown to connect the petitioner in the present case and the petitioner has clean antecedent and is in custody since 10.08.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Darbhanga in connection with Hayaghat P.S. Case No. 29 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled 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 the same or in the name of verification.

(Sourendra Pandey, J)

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