

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34072 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- BAIRIYA District- West Champaran

Musmat Haseena Khatoon @ Musmat Hasina Kharoon W/O Late Satar
Miyani R/O Village- Sisva Saraiya, ward no.- 12, P.S.- Bairiya, District- West
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khedu Mian S/O Aashmohamad Mian R/O Village- Rani Pakdi, Ward No.-
43, Nagar Nigam Bettiah, P.S.- Mufasil, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seek bail in connection with
Bairiya P.S. Case No. 364 of 2024 registered for the
offences under Sections 126(2), 115(2), 85, 140(1) and 3(5)
of the BNS and Sections 3 and 4 of the DP Act.

3. As per the allegation in the FIR the informant
has alleged that the named accused person including the
petitioner used to harass and torture the daughter of the
informant for the non-fulfilment of demand of dowry.

4. Learned counsel for the petitioner submits that



petitioner, who happens to be mother-in-law is innocent and has falsely been implicated in this case on account of general and omnibus allegation alleged against all the accused persons and there is nothing specific against the petitioner. Learned counsel further submits that the incident took place on 18.10.2024, however, the FIR was lodged after a delay of three days on 21.10.2024. It has also been submitted that the main accused person namely Manturni Khatoon, Jamila Khatoon and Samsun Khatoon has been granted anticipatory bail by a co-ordinate Bench of this Court and it has also been brought to the notice of this Court that the husband of the daughter of informant namely Safaruddin Miyan has been granted bail by a co-ordinate bench of this Court vide order dated 14.05.2025 passed in Cr.Misc.No.11266 of 2025. It is lastly submitted that the petitioner has clean antecedent and she is in custody since 29.12.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and it has been alleged that the petitioner alongwith others used to harass the daughter of the informant and tortured her for fulfilment of demand for dowry.



6. Considering the aforesaid facts and circumstances of the case and taking into account that similiary situated co-accused persons including the husband of the daughter of the informant has been released on bail, let the petitioner above-named be enlarged 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 ACJM-III, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 364 of 2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. 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 the cancelled by the court concerned.
- d. 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 afore-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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