

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37569 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- CHHATAPUR District- Supaul

Samina Khatoon W/o- Naushad Sami Village- Mohanpur, ward no 03,
Chhatapur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel submits that petitioner is the person with clean antecedent and the informant alleges that his sister was married to Md. Dilshad in the year 2016, out of the wedlock five children were born, further the victim was mentally and physically tortured by the family members of her matrimonial home, it is next alleged that on 04.07.2024 at 8 PM, the accused persons including the petitioner demanded dowry from his sister and all the accused persons assaulted her by stick and iron rod on account of which the victim sustained injuries



on her body. Thereafter on instigation of Md. Eahsan the other accused persons and Md. Dilshad put a rope around her neck and strangled her and the children were locked in another room. It is further alleged that after killing his sister, her husband Md. Dilshad hanged from the beam accordingly, when the informant received a information he reached the place of occurrence and saw the dead body of his sister and the police was informed and thereafter the dead body was taken and sent for post-mortem.

4. The learned counsel for the petitioner submits that petitioner being sister in law of the deceased has been falsely implicated in a mechanical manner by the informant. It is next submitted informant is not an eye witness to the occurrence. It is also submitted that marriage was 10 years old and in between these 10 years no case came to be instituted either by the deceased or the informant alleging torture, it is also submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner. It is also submitted petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chhatapur P.S. Case No. 216 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Raj Ranjan/-

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