

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51399 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- KUTUMBA District- Aurangabad

Fatima Khatoon W/o Md. Nesar Ansari @ Nesar Ahmad R/o Village- Saidpur
Naughra, P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offence punishable under Sections 306/34 of
the Indian Penal Code.

3. As per the prosecution case, the informant who is
father of the deceased alleges that the wife of deceased had
divorced him an year ago, on account of which, the deceased
became mentally disturbed and used to pressurize the informant
to get him married for the second time, on the alleged date of
occurrence, deceased started quarreling with the informant and
when his other sons came for his rescue, the deceased started
fighting with them and in the night the deceased committed
suicide.



4. Learned counsel for the petitioner submits that the petitioner who is mother of the deceased is not named in the FIR. Her name transpired during investigation. It is next submitted that deceased was mentally disturbed as his wife had left him, on account of his ill behaviour, as such, he had become mentally disturbed and even used to quarrel with the informant and on the date of occurrence when he was quarreling with the brother of the deceased came to save the informant and it appears that in the night the deceased committed suicide. The learned counsel next submits that from perusal of the allegation, it would also manifest that the F.I.R. does not even remotely suggest that the petitioner was involved or abetted the suicide of the deceased. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below 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 learned trial court where the case is pending/successor court in connection with Kutumba P.S. Case No.90/2024, G.R. No.1425 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

Prakash/-

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