

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68821 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- AMAUR District- Purnia

Bechni @ Sahar Bano (Female), aged about 41 years, Wife of Soma @
Sohrab @ Md. Sohrab Alam, R/O-Village - Parmanpur, Ward No.- 14, PS
-Jokihat, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Awnish Kumar, Advocate
For the Informant	:	Mr. Vikram Singh, Advocate
For the Opposite Party	:	Mr. Nirmal Kumar Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 07-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Amour P.S. Case No. 198 of 2024 dated
20.05.2024 registered for the offences punishable under Section
302 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 19.05.2024 at about
6.00 P.M., the co-accused Mangla came to the house of the
informant and took away her husband on a two wheeler but her
husband did not return to his house. She tried to contact her
husband from his mobile but his mobile was switched-off. It is



further alleged that on 20.05.2024 at about 7.00 A.M., the dead body of her husband was found at the bank of *Das River*. It is further alleged that while her husband was alive then he was in contact with Bechni Begam (petitioner) for which the husband of the petitioner, namely, Soma, threatened to kill him. It is further alleged that the informant suspected that the co-accused Mangla, Soma and Bechni (petitioner) have killed her husband.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. She has no concern with the alleged offence. Her name has come in the present case only on the basis of suspicion raised by the informant. It is further submitted that as per the F.;I.R., due to illicit relationship between the petitioner and the informant's husband (deceased), the husband of the petitioner had threatened the husband of the informant (deceased) with dire-consequences but no complaint in this regard has been lodged either by the informant or by her family members. It is further submitted that the fact is that the husband of the petitioner and the informant's husband (deceased) are close relative and they are settled in the different villages and due to their relationship they used to visit each other houses frequently. There was neither illicit relationship between the petitioner and



the deceased nor the petitioner's husband had ever threatened the informant as well as her husband (deceased). There is no specific allegation against the petitioner rather the same is against the co-accused Mangla. The petitioner is a lady. There is no eye witness to the alleged offence except the informant who had seen the co-accused Mangla while he took away her husband alongwith him and only on the basis of suspicion the informant had falsely implicated the petitioner in the present case. She was not present on the spot when the deceased was taken away by the co-accused Mangla on the motorcycle. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant has further submitted that the petitioner was in illicit relationship with the deceased. The regular bail application of the petitioner's husband, namely, Soma Sohrab @ Md. Sohrab Alam has already been rejected by another Co-ordinate Bench of this Court vide Cr. Misc. No. 69575 of 2024 under order dated 03.10.2024. It is further submitted that the co-accused Mangla in his confessional statement has stated that there was



love affair between the deceased and the petitioner for which the petitioner's husband, namely, Soma @ Sohrab, has hired him and has given Rs. 10,000/- and one Apache Motorcycle to him for killing the deceased. Thereafter, on 19.05.2024 in the evening, the co-accused Mangla called the deceased through phone from his house and took him on motorcycle at the bank of *Das River* where the other co-accused Akbar Hussain was already available from before and thereafter both have killed the deceased.

6. Considering the aforesaid facts and circumstances of the case and the fact that there is no specific allegation against the petitioner, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Purnea in connection with Amour P.S. Case No. 198 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

