

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13366 of 2026

Arising Out of PS. Case No.-65 Year-2024 Thana- SHRI NAGAR District- Madhepura

Noorjaha @ Noorjahan Khatoon W/o- Md. Sahim @ Md. Fahim R/v- Puraini
W.No-8, PS- Kumarkhand Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 24-06-2026

Heard Mr. Nafisu Zzoha, learned counsel for

the petitioner and Mr. Jitendra Kumar Singh, learned APP
representing the State.

2. The petitioner is apprehending her arrest in connection with Shrinagar P.S. Case No. 65 of 2024 registered for the offence under Sections 328, 304(B), 34 of the Indian Penal Code lodged on 22.05.2024 by the informant, Md. Manif.

3. As per the prosecution story, the informant alleged that his daughter was married to Md. Riyaz and the couple was blessed with two sons and a daughter. However, repeated dowry demand was there which also led to divorce at one stage whereafter they got remarried in year 2022 but the cruelty



continued. On the fateful day, the son-in-law informed about her death and on reaching there, he could smell the poison. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that she is the aged mother-in-law, living separately having no role to play in the matter, the FIR clearly shows that the husband informed about the death and the fact that the FIR has been lodged on 22.05.2024 and the husband is in custody since 24.05.2024 clearly show that he participated in cremation whereafter was arrested and accordingly, in custody since last two years, the petitioner shall be cooperating in the investigation and is ready to face the trial.

5. Learned APP opposes the prayer submitting that though the Forensic Science Laboratory report has not come, the allegation of poisoning is there.

6. Considering the submission of the parties as also that husband of the deceased was arrested on 24.05.2024 itself, FIR lodged on 22.05.2024, this petitioner is 70 years old having no criminal antecedent and an undertaking has been given that she shall be cooperating in the investigation and diligently appearing in trial, this Court is inclined to extend her the privilege of anticipatory bail.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned court of Sub-Divisional Judicial Magistrate, Madhepura, in connection with Shrinagar P.S. Case No. 65 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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