

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 982 of 2022**

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Nasima Bibi	...	Petitioner
	Versus	
The State of Jharkhand	...	Opposite Party

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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner	: Mr. Rajeeva Sharma, Sr. Advocate
For the State	: Mr. Sanat Kr. Jha, Addl. P.P.

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**Order No.03 Dated- 28.02.2022**

Heard the parties.

Apprehending her arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Dumka (M) P.S. Case No.119 of 2015 (G.R. No. 1234 of 2015) registered under sections 302/328/34 of the Indian Penal Code.

The Learned Senior Advocate appearing for the petitioner submits that the allegation against the petitioner is that the petitioner in furtherance of common intention with the co-accused persons has committed the murder of Abida Bibi by forcibly administering poison to her. It is further submitted that the allegations against the petitioner are all false and in paragraph no.22 of the case diary, the *fardbeyan* of the deceased has been recorded by police wherein, she has categorically stated that she was alone in the house at the time of occurrence and she became ill, hence she took the pesticide thinking the same to be medicine which was kept near the medicine and the deceased intimated the children and her husband who got her admitted in Sadar Hospital, Dumka and police recorded her *fardbeyan* while she was undergoing treatment and therein, the victim has not stated anything against the petitioner to implicate her in this case rather the uncle of the deceased has implicated the petitioner alleging that the deceased stated to him that the petitioner was involved in forcibly administering poison to her. It is then submitted that police after due investigation, did not send up the petitioner for trial and submitted charge sheet against the husband of the

deceased for having committed offence punishable under Section 306 of Indian Penal Code but the learned Magistrate differing from the charge sheet has found prima facie case *inter alia* for the offence punishable under Section 302/328/34 of Indian Penal Code. It is next submitted that the petitioner is a female. It is then submitted that the petitioner undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of her arrest or surrender within a period of six weeks from the date of this order, she shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Dumka, in connection with Dumka (M) P.S. Case No.119 of 2015 (G.R. No. 1234 of 2015) with the condition that the petitioner will cooperate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish her mobile number and photocopy of the Aadhar Card with an undertaking that she will not change her mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

**(Anil Kumar Choudhary, J.)**