

In the Court of Sessions Judge, Supaul
A.B.A.-763/2026
(Arising out of Chhatapur PS Case No:-216/2024)

<u>08/07/2026</u>	Samsun Khatoon @ Samsun Praveen, D/o- Late Md. Wasul, R/o- Mohanpur, Ward No.03, PS- Chhatapur, District- Supaul,Accused/Petitioner Vs. State of Bihar.O.P. Ld. Counsel for petitioner Smt. Sita Kumari, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioner, namely Samsun Khatoon @ Samsun Praveen, who is apprehending her arrest in connection with Chhatapur PS Case No.:-216/2024, u/s-103(1), 3(5) of B.N.S. Ld. counsel for the accused/ petitioner submitted that accused/ petitioner is quite innocent and has committed no crime and she has falsely been implicated in this case out of grudge, malice and dirty party politics. He further submitted that accused/ petitioner is not involving in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. He further submitted that the accused/ petitioner is widow Nanad of the deceased and she has no concern with the alleged occurrence. It is also submitted that accused/ petitioner is ready to abide by the provisions of section 482 of B.N.S.S, so she may be admitted to the anticipatory bail. Ld. APP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 06.07.2024, a hand written Fardbyan was given by the informant, namely Md. Naushad to the police of PS Chhatapur, that the marriage of his sister namely Budhani Khatoon was solemnized with Md. Dilshad in the year 2016 as per the Muslim Rites and Customs. After the marriage, she gone to her matrimonial home and the couple was also blessed by 5 children. The informant further alleged that his sister was mentally and physically tortured by the family members of her matrimonial home. He further alleged that on 04.07.2024 at about 08:00 P.M., the accused namely Md. Dilshad and his other family members namely Md. Ahsan, Md. Naushad, Md. Parveej Alam, Samsun Khatoon, Surali Khatoon, Samina Khatoon and Sajida Khatoon demanded the dowry from his sister and all the accused persons assaulted her by stick and iron-rod thereby she sustained several injuries mark on her body. The accused Md. Ahsan instigated the other accused persons and accused Md. Dilshad put the rope in her neck and strangled her. The accused persons also assaulted her by iron-rod on her hand and on leg. The accused persons locked her children in another room. The informant further alleged that after causing the death of his sister, the	Contd.
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<u>Contd.</u> <u>08/07/2026</u>	accused Dilshad hanged her from the <i>Bim</i>. When the informant received this information and he reached there and found dead body of his sister and the police was informed. The police has taken the dead body in his possession and sent for postmortem. Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it transpires that the police has recorded the statement of witnesses namely Md. Subhan, Md. Jamsher, Md. Sabul, Sahina Khatoon, Rukhsana Khatoon and Md. Shamsheer and all the witnesses have supported the contention of the informant. On going through the death summary report, the police has also found the injury mark on the neck and below the eyes and around the lip. As per postmortem report the doctor has found the External Injury:- scalp intact, eyes close, frothing discharge from the mouth, bleeding from both nostrils, a thin ligature mark present on throat, nearby horizontal covering anterior 2/3 of whole circumference of neck, thickness 0.75 cm nearby, the colour of ligature mark is brownish black and Internal Injuries:- in dissection of brain cranium intact, brain matter intact congested, on dissection of throat hyoid and thyroid cartilage intact, petechial hemorrhage present under the ligature mark, on dissection of thorax and abdomen all viscera are congested and intact. However, the doctor has reserved the opinion. It is pertinent to mention here that in the similar situated accused namely Samina Khatoon has already been granted anticipatory bail by the Hon'ble High Court, Patna, in Cri. Misc. No.37569 of 2025, vide order dated 25.06.2025. This accused/ petitioner is the widow <i>Nanad</i> of the deceased and the allegation against her is general in nature. Hence, keeping in mind the order passed by the Hon'ble High Court, Patna, I find that this accused/ petitioner is entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of accused/ petitioner namely Samsun Khatoon @ Samsun Praveen stands Allowed and in the event of her arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, she is directed to be released on furnishing bail bonds of Rs.20,000/- with two sureties of like amount each to the satisfaction of Learned Court below with condition that she shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative. Dictated -Sd- (Anant Singh) Sessions Judge, Supaul	
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