

IIA

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2167/2004

(From the final judgement and order dated 11/07/2003 in CRLM No.
15038/2003 of The HIGH COURT OF PATNA)

KHURSHID JAHAN

Petitioner

(s)

VERSUS

STATE OF BIHAR & ANR.

Respondent

(s)

(With appln(s) for c/delay in filing SLP,anticipatory bail and office
report)

Date: 18/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Md. Kamran, Adv.

Md. Kazim Sher, Adv.

Mr. Anjani Kumar Jha, Adv.

For Respondent(s)

Ms. Sunita R. Singh, Adv.

Mr. B.B. Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Special Leave granted.

The appeal is allowed in terms of the signed order.

(SUKHBIR PAUL KAUR)

(VIJAY DHAWAN)

COURT MASTER

COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1347/2005

(Arising out of SLP(Cr1)NO.2167 of 2004)

KHURSHID JAHAN

.....APPELLANT(S)

VERSUS

O R D E R

Delay condoned.

Special Leave granted.

We have heard counsel for the appellant and counsel for the State. The complainant though served with notice has not contested this application.

We have perused the order passed by the High Court. It appears that other accused persons have been granted anticipatory bail, except the husband who has been granted regular bail. The appellant before us is the mother-in-law. Solely on the ground that she is the mother-in-law, bail has been refused.

We find no reason to distinguish the case of the appellant. Accordingly, we allow this appeal and direct that in the event of arrest or surrender the appellant

shall

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be released on bail on her furnishing bail bonds and
sureties to the satisfaction of the arresting
officer/Court, as the case may be, in connection with
Complaint Case No.758 of 2002 pending in the Court of
Chief Judicial Magistrate, Bhabua, Bihar.

This appeal is accordingly allowed.

.....J.
(B.P.SINGH)

.....J.
(S.H.KAPADIA)

NEW DELHI;

OCTOBER 18, 2005