

(2024) 02 JH CK 0016

In the Jharkhand High Court

Case No : Bail Application No. 10701 Of 2023

Yasmeen Khatoon @ Aasmin Bibi @ Yasmeen Bibi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 05-02-2024

Acts Referred:

Indian Penal Code, 1860 — Section 34, 304B, 307, 323, 328, 498A
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2024) 02 JH CK 0016

Hon'ble Judges : Rajesh Kumar, J

Bench : Single Bench

Advocate : Hadish Ansari, S.K. Srivastava, S.K. Singh

Judgement

Rajesh Kumar, J

1. Heard the parties.

2. The applicant, who is sister-in-law of the deceased, is in custody since 22.09.2023, has approached this Court for grant of regular bail in connection with S.T. No.452 of 2023 arising out Hussainabad (Woman & Child Protection) P.S. Case No.11 of 2022 (G.R. No.1852 of 2022).

3. It appears that the applicant has been made an accused for committing the offence under Sections 498A/ 323/ 328/ 307/ 34 of the I.P.C and Sections 3/ 4 of the Dowry Prohibition Act. Later on it has been converted into under Sections 304B/ 328 and 34 of the I.P.C.

4. It has been submitted by the learned counsel for the applicant that complete set of F.I.R along with its enclosures have been annexed with the present bail application and there is no suppression on his part. Innocence of the applicant has been claimed and undertaking has been given for participation in the trial. It has been submitted that the deceased was ill and she had given treatment but she could not survive. As per the investigation, cause of death could not be ascertained. It has further been submitted that the husband as well as father-in-

law of the deceased have already been enlarged on bail by this Court. On the above basis, prayer for bail has been made.

5. Learned counsel for the State as well as counsel for the informant have vehemently opposed the prayer for bail.

6. Considering the above facts and the fact that the investigation is complete, I am inclined to enlarge the applicant on bail. Accordingly, the applicant is directed to be released on bail, on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-V, Palamau at Daltonganj in connection with S.T. No.452 of 2023 arising out Hussainabad (Woman & Child Protection) P.S. Case No.11 of 2022 (G.R. No.1852 of 2022), subject to the condition that the applicant will also submit self-attested photocopy of his Aadhaar Card and also submit his mobile number before the learned court below which he will always keep active and will not change it during pendency of this case without prior permission of the court.