

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11246 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -GOPALPUR District- GOPALGANJ

1.Najbun Nesa wife of Late Reyajuddin
2. Juhi Khatoon wife of Rahamuddin
3. Sanjida Khatoon daughter of Late Reyajuddin,
All are resident of Village Gopalpur, P.S. Gopalpur, District Gopalganj
..... Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in a case under sections 314, 304(B)/34 of the Indian Penal Code.

Petitioner no.1 is mother-in-law, petitioner no.2 is sister-in-law and petitioner no.3 is unmarried sister of the husband of the victim Saiyada Khatoon.

It is alleged that the accused persons have killed the deceased due to non-fulfillment of demand of dowry. It is stated that for want of dowry, the deceased was subjected to torture and cruelty by the hand of the accused persons and at one time she was ousted from her matrimonial home after assaulting. However, on compromise the deceased went to her matrimonial home. It is further alleged that the accused persons brutally assaulted the deceased due to which her 7 months pregnancy aborted and in the process she died.

Learned counsel for the petitioners submits that the post mortem report shows no internal or external injury on the part of the deceased.

Having regard to the facts and circumstances of the case, the petitioner nos. 2 and 3, namely Juhi Khatoon and Sanjida Khatoon are directed to be released on anticipatory bail, in the event of their arrest/surrender, in connection with Gopalpur P.S. Case No.88 of 2014, on furnishing bail bonds of Rs.5,000/- each with two sureties of the like amount each to the satisfaction of Shri C.B. Singh, Judicial Magistrate 1st Class, Gopalganj.

So far as petitioner no.1 Najbun Nesa is concerned, her prayer for anticipatory bail is rejected.

Learned counsel for the petitioners submits that petitioner no.1 is aged about 70 years and she should also be enlarged on bail.

The petitioner no.1 should surrender and pray for regular bail. In case the Trial Court finds that the petitioner no.1 appears to be over 70 years of age, she would be enlarged on bail to its satisfaction.

(Samarendra Pratap Singh, J)

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