

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6373 of 2015**

Arising Out of PS.Case No. -161 Year- 2011 Thana -JALE District- DARBHANGA

- =====
1. Mirza Tabrez Baig @ Tabrez Alam Baig
  2. Mirza Jawaid Alam Baig Both S/o Mirza Qamre Alam Baig, resident of Village Garari, Police Station Zale, District Darbhanga.
  3. Ansari Begum, W/o Mirza Atiqul Baig, Resident of Village Zale, Tola Mirzapur, Police Station Zale, District Darbhanga.
  4. Mirza Atiqul Baig @ Attiqul Baig, S/o Mirza Habibul Baig, Resident of Village Zale, Tola Mirzapur, Police Station Zale, District Darbhanga.
  5. Mirza Qumere Alam Baig @ Mirza Qamre Alam Bag S/o Late Majeed Baig, Resident of Village Garri, Police Station Jalley, District Darbhanga.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**  
**ORAL ORDER**

4      21-05-2015                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 304B and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the deceased admittedly died on 09.09.2009 and the complaint was filed on 21.12.2011, which was subsequently converted into the First Information Report under Section 156(3) of the Cr.P.C. on 25.12.2011. Learned counsel for the petitioners submits that there

is absolutely no explanation of so much of delay in the institution of the complaint case and contends that it is a case of malicious prosecution. He has further submitted that petitioner nos. 1 and 2 are brothers of the husband of the deceased, whereas petitioner no. 3 is the sister of the husband of the deceased. Petitioner No. 4 is the husband of petitioner no. 3, whereas petitioner no. 5 is the father-in-law of the deceased. He has contended that there is nothing to show that there was any demand of dowry immediately before the deceased died, by these petitioners.

In view of the submission as above, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Jalley Police Station Case No. 161 of 2011, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

**(Chakradhari Sharan Singh, J.)**

Vats/-

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