

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23188 of 2015

Arising Out of PS.Case No. -37 Year- 2014 Thana -RAJPUR District- BUXAR

- =====
1. Rahman Miyan S/o Late Yasin Miyan
 2. Ajameriya Bibi W/o Rahman Miyan
 3. Salauddin Miyan S/o Rahman Miyan All Resident of Village Basahi, P.S. Rajpur, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Section 304(B)/34 of the Indian Penal Code.

The allegation against the petitioners is of killing the daughter of the informant for non fulfillment of additional demand of dowry.

It has been submitted on behalf of the petitioners that petitioner no.1 is the father-in-law and petitioner no.2 is the mother-in-law of the deceased. Petitioner no.3 is the husband of the deceased. It is further submitted that the petitioners have been made accused in this case due to mistake of fact as to when the deceased had died due to illness while she was in her family way.

On behalf of the State, it has been submitted that the main allegation is against the husband of deceased, who is petitioner no.3 in this petition.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to petitioner no.3 (Salauddin Mian), who is the husband of the deceased, and the same is rejected.

So far petitioner nos. 1 and 2 (Rahman Miyan and Ajameriya Bibi) are concerned, let they, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M.,Buxar in connection with Rajpur P.S.Case No. 37/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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