

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39844 of 2014

Arising Out of PS.Case No. -57 Year- 2013 Thana -BARHARA District- BHOJPUR

- =====
1. Sadaruddin Son of Late Fazul Haque, Resident of Village - Gundi, P.S.- Barhara, Krishnagarh, District -Bhojpur
 2. Bibi Fatima @ Fatma Khatoon Wife of Sadaruddin, Resident of Village - Gundi, P.S.- Barhara, Krishnagarh, District –Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.41345 of 2014

Arising Out of PS.Case No. -57 Year- 2013 Thana -BARHARA District- BHOJPUR

- =====
1. Md. Nejabuddin.
 2. Md. Rojaddin Both sons of Sadaruddin, Both are residents of village Gundi, P.S. Barahara Krishnagarh, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.39844 of 2014)

For the Petitioner/s : Mr. Viveka Nand Pathak

For the Opposite Party/s : Mr. Gulnar Begum(App)

(In Cr.Misc. No.41345 of 2014)

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

Both applications are being disposed of by a common
order, as in these cases petitioners are seeking anticipatory bail in

connection with Barhara/Krishnagarh P.S. Case No. 57 of 2013 registered for offences under sections 304B/34 of the Indian Penal Code.

An FIR was lodged against the petitioners and others with respect to killing of daughter of informant on account of non-fulfilment of dowry.

The Police submitted final form. The Court took cognizance only against the husband of the victim.

During trial, an application under section 319 Cr. P.C. was filed on the basis of material which has come during trial and petitioners have been asked to stand the trial. Bibi Fatima @ Fatma Khatoon in Cr. Misc. No. 39844 of 2014 is mother-in-law whereas Md. Nijabuddin and Md. Rojaddin in Cr. Misc. No. 41345 of 2014 are Debars of the victim.

Looking to the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within four week weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of 7th Ad-hoc A.D.J., Ara in connection with S. Tr. No. 370 of 2013 arising from Barhara/Krishnagarh P.S. Case No. 57 of 2013, subject to the

condition as laid down under Section 438 (2) Cr. P.C. and also subject to the condition that petitioners will appear before the court below on the date fixed and will co-operate the proceeding of the court below. In event of failure to appear on two consecutive dates without any reasonable ground, the court below will be at liberty to pass the order, including cancellation of bail bonds of the petitioners.

(Shivaji Pandey, J)

Mahesh/-

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