

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39396 of 2015

Arising out of PS.Case No. -129 Year- 2015 Thana -BAJPATTI District- SITAMARHI

1. Md. Amin, Son of Late Abdul Aziz Mansuri.
2. Husni Khatoon, wife of Md. Amin.
3. Mumtaz Khatoon, wife of Md. Guddu. All residents of Village- Harpurwa Police Station Baj Patti, District Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Mazharul Hassan, Advocate.
For the Opposite Party : Mr. Md. A.Haque Sahara (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Bajpati P.S. Case No. 129/2015 for the offences instituted under Sections 304(B) and 328/34 of the IPC.

The prosecution story, in brief, is that the informant had performed the marriage of her daughter, namely, Rehana Khatoon, according to Muslim rites and custom in year, 2007. After marriage, the husband of the daughter of the informant, namely, Chand Mohammad and these petitioners as well as other family-members, committed assault, and torture with Rehana Khatoon for demand of motor-cycle and buffalo. The daughter of

the informant has two children, who are alive. The daughter of the informant was pregnant. It is further alleged that during the course of commission of torture, the son-in-law of the informant, namely, Chand Mohammad has performed second marriage. All the accused-persons have committed murder of the daughter of informant on 04.07.2015 after administering poison.

It has been submitted on behalf of the petitioners that the petitioner no. 1 is the father-in-law, petitioner no. 2 is the mother-in-law and petitioner no. 3 is the Nanad of the victim. It is further submitted that the petitioners have got no criminal antecedent and they are separate in mess and property from the husband of the deceased. The petitioners have been made accused due to mistake of fact.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Bajpatti P.S. Case No. 129 of 2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

