

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49676 of 2015**

Arising Out of PS. Case No. -195 Year- 2015 Thana -HARSIDHI District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Husan Bano @ Husal Bano Khatoon, Wife of Tabarak Mian
  2. Tabarak Mian @ Tabarak Ansari @ Tabarak Hussain, Son of Late Chand Mian
- Both Resident of Village Sewrahan Pandey Tola, P.S. Harsidhi, District East Champaran

.... .... Petitioners

Versus

1. The State of Bihar
2. Sajra Khatoon, Wife of Rustam Mian, resident of Village- Sewrahan Pandey Tola, P.S. Harsidhi, District East Champaran

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Shakil Ahmad Khan

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

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

3      17-12-2015                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under Sections 498 (A) and 328 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The petitioner no.1 is mother-in-law and petitioner no.2 is father-in-law of the informant.

Learned counsel for the petitioners submits that the allegations are general in nature. He further submits that the allegation of administering poison is against Rustam Mian and Hadis Mian.

Counsel for the State submits that the allegation of extorting to give poison is against petitioner no.2.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today the petitioner no.1, namely, Husan Bano @ Husal Bano Khatoon, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case no. 195 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Having regard to the nature of allegations, I am not inclined to grant anticipatory bail to petitioner no.2. His prayer for grant of anticipatory bail is rejected.

**(Samarendra Pratap Singh, J.)**

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