

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51384 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -THAKURGANJ District- KISANGANJ

1. Shahidur Rahman, Son of Late Asiruddin.
2. Kulsum Khatoon, wife of Shahidur Rahman. Both are resident of Village Barahmani, Police Station- Powakhali in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Dr.Ajeet Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioners and learned AP.P. for the State.

The petitioners, who are father-in-law and mother-in-law of the victim girl, apprehend their arrest in connection with Thakurganj (Powakhali) P. S. Case No. 38 of 2015 registered for offences punishable under Sections 304 (B)/34 of the Indian Penal Code.

The prosecution case is that one Yashin filed a written application before the SHO of Powakhali P.S. on 15.02.2015 that he is resident of Bhairo Asthan P.S.- Gwalpokhar in the district of Uttar Dinajpur (W.B.) and his daughter namely Najneen Begum was married with co-accused Sarwar one year ago



under the Muslim custom. It is further stated that after marriage accused persons including the petitioners started demanding Rs. 50,000/- and one motorcycle. His daughter informed him, then he along with other persons went to the house of petitioners to resolve the matter. He further stated that they assured further good treatment but their demands continued and co-accused Sarwar again came to the house of the informant and further made demands. He further stated that on the fateful day i.e., 14.02.2015 he received information that his daughter is no more and on the basis of that information he along with some family members reached at the house of the petitioners, where the petitioners and others wrongfully confined him and did not allow the informant to go to the police station.

It has been submitted by the learned counsel for the petitioners that there is no specific allegation against the in-laws.

It has further been submitted that the matter has been compromised between the husband of the victim namely, Sarwar and the informant, which finds place at Annexure-2 of the petition which specifies that the cause of death was suicide, committed by the informant's daughter due to her short temper and frustration of non-conceiving even after three years of her marriage, although in the F.I.R., it specifies only one year of marriage.

It has further been submitted that both the petitioners have clean antecedents, which finds place at para-3 of the petition.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of Shri K.K.Choudhary, learned Judicial Magistrate, 1st class, Kishanganj in connection with Thakurganj (Powakhali) P.S.Case No. 38 of 2015 (G.R. No. 232 of 2015), subject to the conditions as laid down under Section 438 (2) of the Cr. P. C.

(Nilu Agrawal, J)

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