

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40337 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -MAKER District- SARAN

1. Anwar Alam @ Sonu, son of Late Khurshid Ali
2. Jaibun Nisha, wife of Sarfroz Ali
Both residents of village- Maker (Dargah), P.S. Maker, District- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.41255 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -MAKER District- SARAN

Tahira Khatoon W/o Late Khursid Ali resident of village - Maker (Dargah)
P.S. Maker, District - Saran at Chapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.40337 of 2014)

For the Petitioner/s : Mr. Ajay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

(In Cr.Misc. No.41255 of 2014)

For the Petitioner/s : Mr. Ajay Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Kalayan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 10-02-2015 Both these applications arise out of Maker P. S. Case No. 47 of 2014, as such they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

The accused-petitioners seek bail in a case registered

for the offence punishable under Sections 304(B), 120(B) and 34 of IPC.

Allegation against the accused including the petitioners is to have demanded dowry and due to non-fulfilment of demand of dowry, the deceased was set at fire which caused her death.

It is submitted that Anwar Alam is the brother-in-law, Jaibun Nisha is the sister-in-law and Tahira Khatoon is the mother-in-law of the deceased.

It is further submitted that the husband of the deceased is already in custody. During investigation, the independent witnesses have stated that the mother-in-law of the deceased raised alarm that the deceased had locked her room from inside and thereafter there was smell of burning in the room. The neighbours came there and asked the deceased to open the door thereafter it was found that the deceased had burn injury and she had stated that the accused had no concern and asked water, thereafter she was taken to hospital during treatment she succumbed to the injuries. The petitioners have no criminal antecedent. After investigation charge-sheet has been submitted and there is no chance of tampering with the evidence.

Considering the facts and circumstances, the above

named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/court concerned in Maker P. S. Case No. 47 of 2014 with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the petitioners.
3. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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