

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44085 of 2015

Arising out of PS.Case No. -238 Year- 2014 Thana -BAUSI District- PURNIA

1. Hasibul, Son of late Saidul.
2. Ajmairun, Wfe of Hasibul, Both are residents of village- Simalbari, P.S. Baisi, District- Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Helal Ahmad, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are languishing in custody since 02.07.2015 in connection with Baisi P.S. Case No. 238 of 2014 for the offences instituted under Section 304(B)/34 of the IPC.

The prosecution story, in brief, is that the informant's daughter, Salmi, was married with Shamsher five years ago. After one year of her marriage, her husband Shamsher, Dewar Tanzil, father-in-law Hasibul and mother-in-law Azmerun started torturing physically and mentally to her for the demand of dowry for which panchayati was convened several times. On 07.11.2014 at 6 P.M., the informant got information that his daughter is ill. On



this information, the informant went to the *Sasural* of his daughter and came to know that her in-laws have administered poison to her and thereafter she was treated by Dr. Sahnawaz at Baisi but she died. Then family members put the dead body of Salmi on the Verandah of the house and fled away. The informant has also came to know that on 07.11.2014, co-accused Tanzil, who is Dewar of his daughter came to his house from outside in the morning and physically tortured her by beating. The informant has also alleged that his son-in-law Shamsheer used to live outside alongwith his brother Tanzil, where Shamsheer has solemnized another marriage and he used to torture his daughter Salmi by telephone. The informant has further alleged that all the above named four accused persons including these petitioners have committed murder of Salmi by administering poison for the demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 02.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioners. The petitioner no. 1 is the father-in-law of the deceased and the petitioner no. 2 is the mother-in-law of the deceased. They are separate in mess and property from the

husband of the deceased. The husband of the deceased is in custody.

On behalf of the learned counsels for the State and the informant 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 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 J.M. Ist Class, Purnea, in connection with Baisi P.S. Case No. 238/2014.

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(Sudhir Singh, J)