

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38210 of 2014**

Arising Out of PS.Case No. -146 Year- 2014 Thana -BASANTPUR District- SIWAN

- =====
1. Nazam Quraishi son of Late Anir Quraishi
  2. Rehana Khatoon wife of Nazam Quraishi
  3. Meraj Quraishi son of Late Anir Quraishi
  4. Shahzahan Khatoon, wife of Late Anir Quraishi

All R/o Village - Sheikhpura, P.S. - Basantpur, District - Siwan.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Sangeeta Sharma,(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

5 30-07-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 328 and 304(B)/34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, this Court taking into account that all the petitioners are distinct relatives, namely, petitioner no. 1 is the cousin brother-in-law (Bhaisur), petitioner no. 2 is the cousin sister-in-law(Gotani), petitioner no. 3 is the cousin brother-in-law (Devar) and petitioner no. 4 is the aunt(Chachi), it would be inclined to grant anticipatory bail to the petitioner specially when they claim to have no criminal antecedent .

That being so, if the petitioner nos. 1 to 4, namely, Nazam Quraishi, Rehana Khatoon, Meraj Quraishi, Shahzahan Khatoon respectively surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned

Judicial Magistrate, Siwan in connection with Basantpur P.S.Case No. 146 of 2014 subject to the following conditions:



- (i) That both the bailors will be close family relatives of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.
- (iv) That the petitioners will be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

**(Mihir Kumar Jha, J)**

Sujit/-

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