

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4575 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -NAUHATTA District- SAHARSA

- =====
1. Amerun Khatoon @ Ameruth Khatoon Wife of Md. Alam
 2. Md. Alam @ Md. Almin @ Md. Alim, Son of Late Bachchu
Both resident of Village - Islampur, P.S. - Nauhatta, District - Saharsa.
 3. Sajida Khatoon @ Sajda Khatoon Wife of Md. Intkhab, resident of
Village + P.O. + P.S. - Nauhatta, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 04-02-2015 Heard both sides.

The petitioners apprehend their arrest in Nauhatta P.S. Case No. 108/2014 registered under Section 304(B) and other sections of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The father of the deceased filed the complaint case alleging that his daughter was married with Md. Shakil on 21.02.2013 but thereafter her husband and other in-laws subjected her to physical and mental torture. His daughter gave birth to a child and consequently she died.

Learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law and sister-in-law of

the deceased. The allegations are false and concocted. Kharija Khatoon @ Khojeda Khatoon @ Anguri Khatoon was pregnant and the petitioners got her treated in different hospitals. She gave birth to a child but she could not survive even after providing best treatment to her. It is further submitted that even the informant has stated that Kharija Khatoon died in his presence while she was under treatment.

On consideration of the facts and on perusal of Annexure-3, it appears that the deceased was under treatment of different doctors. During her pregnancy, on account of some complications she could not survive.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in Nauhatta P.S. Case No. 108/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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