

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8087 of 2016

Arising Out of PS.Case No. -368 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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1. Md. Sonu,
 2. Md. Imam
 3. Md. Aftab, All sons of Abdul Salam,
 4. Ajmeri Khatoon @ Soni Khatoon, Daughter of Abdul Salam
 5. Abdul Salam, Son of Late Noor Hassan
 6. Sajgun Khatoon @ Sajmun Khatoon @ Sajmun Wife of Abdul Salam
All resident of Village- Bara Sumera, P.S.- Kudhani, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-04-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 149, 304B and 201/34 of the Indian Penal Code.

Allegation against the petitioners is that due to non-fulfilment of demand of dowry, daughter of the complainant was tortured and husband of her daughter got second marriage. It is also alleged that she was taken to somewhere and thereafter she did not return and complainant was under the impression that her daughter was murdered by the petitioners.

It is submitted on behalf of the petitioners that petitioner no. 1 is the husband, petitioner no. 2 is brother-in-law, petitioner no. 3 is brother-in-law, petitioner no. 4 is married nanad, petitioner no. 5 is father-in-law and petitioner no. 6 is mother-in-law of the

deceased. From perusal of para-48 of the case diary it is evident that the deceased of the present case is said to have been recovered alive and her statement under Section 164 of the Code of Criminal Procedure has been recorded. It is further submitted that after recovery of the deceased no offence under Section 304B of the Indian Penal Code is made out against the petitioners. From perusal of Annexure-1 to the petition it is evident that the matter has been settled between the families.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, 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 Sri Santosh Kumar Jha, learned Judicial Magistrate, Ist Class, Muzaffarpur in connection with Kudhani P.S. Case no. 368 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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