

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21002 of 2016

Arising Out of PS.Case No. -298 Year- 2015 Thana -BANIAPUR District- SARAN

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1. Md. Azam Khan S/o Md. Hameed.
 2. Tasliman Begum W/o Md. Hameed.
 3. Sabina Khatoon W/o Md. Azam Khan @ Md. Azam
 4. Md. Hammed S/o Late Md. Rahmikhana, all R/o Hansrajpur, P.O. Puchhari, P.S. Baniyapur, Distt. Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.
For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 24-06-2016 Heard learned counsels for the petitioner and the State.

The petitioners being the parents, brother and brother's wife of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B, 201 and 498A of the Indian Penal Code.

The prosecution case is that the sister of the informant, Nikhat Praveen was married with co-accused Atsar Ali on 08.05.2008 but subsequently demand of motorcycle and Rs. 1 lakh as dowry was made. The informant when went to meet her sister then the neighbours of the husband of the victim suggested that she died about six months prior thereafter the

complaint was filed on 10.10.2015 with accusation that the victim was killed by administering poison.

It is submitted by learned counsel for the petitioner that the accusation is not specific against the petitioners. The victim died during treatment as they were residing at Lucknow and maliciously after six months of death of the victim the complaint was filed on 10.10.2015 when the victim died on 20.03.2015. The thrust of accusation is against the husband of the victim.

Learned APP after going through the case diary submits that the witnesses have suggested that the victim died due to illness, though, the victim sifted with her in-laws family at Lucknow and she was being tortured but the petitioners or the husband of the victim did not inform the informant about the death of the victim.

Considering the death of the victim after about six years of marriage and delayed lodging of the complaint, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in

connection with Baniyapur P.S. Case No. 298 of 2015, subject
to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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