

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46107 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -AWADPUR District- KATIHAR

- =====
1. Patanu @ Biju Son of Late Md. Asho,
 2. Ano Khatoon, w/o Late Md. Asho,
 3. Babul Son of Jainul Master,
 4. Amida Khatoon @ Anida Khatoon, Wife of Rafique,
 5. Ashama Khatoon, Wife of Patanu @ Biju, all are resident of village - Jatahar, P.S. - Abadpur, District - katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party : Mr. Binod Kumar –II APP.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Abadpur P.S. Case No. 44 of 2015 for the offences instituted under Section 302/34 of the Indian Penal Code.

As per the prosecution case that the sister of the informant Manjura Khatoon (deceased) had been married with Safiqul four years ago and out of lawful wed-lock one daughter was born but thereafter she was subjected to cruelty and torture by the family members of her husband for which the deceased had also filed criminal case alleging dowry demand against her

husband and others and also a case for maintenance allowance. It is further alleged that on the date of occurrence there was some quarrel with the deceased and all the accused persons including the petitioner assaulted with Manjura Khatoon (deceased) as a result of which she died.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioner no.1 is an agnate of the deceased, petitioner no.2 is also an agnate of the husband of the deceased, petitioner no.3 is Dewar of the deceased, petitioner no.4 is the Gotani of the deceased and petitioner no.5 is an agnate of the husband of the deceased. They are separate in mess and property from the husband of the deceased. From perusal of the FIR, it appears that there is allegation of assault by the accused persons due to which she had succumbed to death. From perusal of the postmortem report, it appears that there is no external or internal injury found on the body of the deceased.

On behalf of the State, 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 in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Abadpur P.S.

Case No. 44 of 2015 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 Judicial Magistrate, Ist Class, Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--