

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33003 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -BARSOI District- KATIHAR

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1. Rafat Khatoon @ Rafat wife of Md. Akil resident of Village Mohdipur P.S. Balarampur District Katihar.
 2. Chunmun Khatoon alias Chunmun W/o of Mahboob alias Mahbul.
 3. Dulari Khatoon W/o Maksud, Petitioner nos 2 & 3 are resident of Village Chhoti Raghunathpur, P.S. Barsoi, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda
For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-09-2016 Heard both sides.

The petitioners apprehend their arrest in Barsoi P.S. Case No. 65 of 2016, registered for the offences punishable under Section 304(B)/34 of the Indian Penal Code.

The mother of the deceased alleged that her daughter was married to Abul Kalam about one and half years ago. Many gifts were given at the time of marriage of her daughter but family members of her daughter were torturing her. She disclosed that on 02.04.2016 in the night accused persons slit the neck of her daughter and threw her dead body in the bush.

Learned counsel for the petitioners submits that the



petitioners are sisters-in-law of the deceased. The petitioners are not named in the FIR. Noor Bano, married sister-in-law of the deceased and her husband Md. Hussain were also made accused but they have been granted anticipatory bail vide order passed in Cr. Misc. No. 30048/2016. The informant is not an eye-witness of the occurrence. Petitioners are ladies and during course of investigation the name of the petitioners has figured in the case on mere suspicion that petitioners also might have participated in the killing of the deceased, but no specific allegation is made against the petitioners either of demand of dowry and torture or killing of the deceased.

On the other hand, learned counsel for the informant as well as learned Additional P.P. opposed the prayed for anticipatory bail and submitted that the name of the petitioners surfaced in the case during investigation.

Taking into consideration that petitioners are sisters-in-law of the deceased and they are not named in the FIR, their names figured in the case during course of investigation on mere suspicion, the petitioners above named in the event of their arrest or surrender before the 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 bail 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, Katihar in connection with Barsoi P.S. Case No. 65 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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