

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29372 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

Amina Khatoon, wife of Late Sheikh Imam, resident of village- Parsauni,
P.S.- Sathi, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.40148 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

SHEIKH PARVEJ @ BHUTTI @ PARWEZ ALAM, Son of late Sheikh
Amam, resident of Village- Parsauni, P.S.- Sathi, District- West
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.29372 of 2016)

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Smt. Asha Kumari, A.P.P.

(In Cr.Misc. No.40148 of 2016)

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 28-10-2016 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are languishing in custody since
12.04.2016 and 12.06.2016 respectively in connection with Sathi

P.S. Case No. 46 of 2016 for the offences instituted under Sections 304(B) and 120(B)/34 of the IPC.

The accusation is of killing the daughter of the informant after seven years of the marriage due to non-fulfilment of dowry demand by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 12.04.2016 and 12.06.2016 respectively and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. They have got no criminal antecedent. The petitioner Amina Khatoon is the mother-in-law of the deceased. The petitioner Sheikh Parvej @ Bhutti @ Parwez Alam is the brother-in-law (Dewar) of the deceased. They are separate in mess and property from the husband of the deceased.

On behalf of learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R. The petitioners alongwith other co-accused have committed murder of the deceased. The postmortem report also indicates that the deceased has sustained external injuries and cause of death is asphyxia due to suffocation (smothering).

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected in

Sathi P.S. Case No. 46 of 2016, pending in the court of the learned
J.M. West Champaran at Bettiah.

The court below is directed to take all necessary steps to
conclude the trial preferably within a period of one year from the
date of receipt/production of copy of the order.

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(Sudhir Singh, J)