

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43329 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -BIHARIGANJ District- MADHEPURA

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1. Bibi Mazlooma Khatoon W/o Rustam Ansari
 2. Rajjo Khatoon W/o Dildar Ansari
 3. Rizwana Khatoon W/o Junaid Ansari
 4. Bibi Rabina Khatoon W/o Quddus Ansari All are resident of Village- Manjora, P.S.- Bihariganj District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Jasruna Khatoon W/o-Late Talih Ansari Resident of Village- Manjora, P.S.Bihariganj, District -Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Smt Sangeeta Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 26-10-2016

Heard learned counsels for the petitioner and the State.

The petitioners being the mother, brothers' wife and aunts of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 323, 498A, 306, 504 and 506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was in love with Md. Talib and subsequently got pregnant, thereafter, she performed marriage with Md. Talib which was not being liked by his family, as a result they started inflicting torture for non-fulfillment of the dowry demand and they forced the husband of

the informant to go to Punjab for earning livelihood. Abuzar and Zulfekar took the husband of the informant to Ludhiana where on 19.07.2015 he committed suicide, hence it is alleged that the petitioners abetted the suicide. It is further alleged that the accused persons snatched the belongings of the informant and drove her out of the matrimonial house.

It is submitted by the learned counsel for the petitioners that the informant was forcefully married with Md. Talib, as a result he was suffering from depression and committed suicide in Punjab. It is admitted case of the informant that the petitioners were not at Ludhiana where the husband of the informant committed suicide. The informant is a lady of questionable character. She became pregnant from someone without marriage but she blamed upon Md. Talib Ansari and her family members along with their associates got the marriage of Md. Talib Ansari with the informant solemnized forcibly without his consent as a result he was under shock, hence, he committed suicide. The informant did never come to her matrimonial home hence accusation of inflicting torture and snatching belongings do not arise. The father and brothers of the late husband of the informant were granted anticipatory bail vide Cr. Misc. No.42221 of 2016 on their undertaking that they will allow the informant to enjoy her

husband’s share of property in the matrimonial house.

Considering the fact that the victim committed suicide in Punjab and the petitioners were at their native place at the relevant time and all the petitioners being lady, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Udakishunganj at Madhepura in connection with Bihariganj P.S. Case No. 195 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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