

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37190 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -AMAUR District- PURNIA

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1. Bibi Rakima Khatoon W/o Mansoor Alam,
 2. Abraj Alam
 3. Ekram Alam @ Ekram
 4. Md Mister All are sons of Mansoor Alam, all are R/o Vill- Kolha Simaria, P.S- Amour, Distt.- Purnia.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mohammad Sufyan, Advocate
For the State : Mr. Ram Priya Sharan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 17-11-2016 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Amour P.S. Case No.65 of 2016 for the offence registered under section 302/34 of the Indian Penal Code.

Petitioners are named in the first information report but according to prosecution case itself, the alleged occurrence took place on petty dispute and it was co-accused Mansoor Alam, who gave fatal blow to deceased. So far as petitioners are concerned, it is stated that they also participated in the alleged crime and petitioner no.2 gave blows on the abdomen of Afsana Khatoon,

who was pregnant at that time but no injury report of Afsana Khatoon has been brought on the case diary nor I.O. recorded the statement of the aforesaid injured Afsana Khatoon.

Submission on behalf of the petitioners is that the petitioners and informant are agnates and, as a matter of fact, the present case was lodged on account of family dispute when the deceased being fed up with behavior of her in-laws consumed poison and died. It is further submitted that the aforesaid fact, prima facie, supports the findings given by the doctor in postmortem report of the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioners above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia in Amour P.S. Case no. 65 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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