

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26468 of 2016

Arising Out of PS.Case No. -137 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Shahanshah Alam son of Sheikh Khurshid Alam
 2. Sheikh Sajid @ Badshah Alam son of Sheikh Khurshid Alam
 3. Noor Sabina Khatoon wife of Shahanshah Alam All are residents of Village- Bardahiya Tola Bazar, Police Station- Majhauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-07-2016

Petitioners being brothers and brother's wife of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 302, 201, 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of killing the daughter of the informant after eleven years of marriage for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that there is no eye witness to the occurrence. The victim died on 26.03.2015 when the F.I.R was registered on 01.04.2015 and only on suspicion the accusation has been levelled. The investigation is pending against the petitioners till date.

It is submitted by learned A.P.P after going through the case diary that son of the victim has stated that all in-laws family members assaulted his mother.

It is submitted by learned counsel for the petitioners that the children of the victim are residing with the informant, hence there statements have been recorded in the case diary at a very belated stage of the investigation at the behest.

It is further submitted by learned A.P.P that the victim was throttled to death but admits that there is no eye witness to the occurrence.

Considering the delayed lodging of the case and the accusation being omnibus and general, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail **till conclusion of the investigation** on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 137 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

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