

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45633 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

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1. Sahjaha Khatoon Wife of Nurallah Ansari @ Nurullah Ansari,
 2. Asmul Ali @ Asamul Ali, Son of Nurallah Ansari @ Nurullah Ansari,
 3. Hasmul Khatoon, Wife of Rustam Ali,
 4. Sabrun Khatoon, Wife of Tunna Ali, Daughter of Nurallah Ansari @ Nurullah Ansari,

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asagari Khatoon, Wife of Anwar Ali,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 11-04-2016 Heard learned counsels for the petitioners and the State.

The petitioners being the mother, brother, brother's wife and married sister of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A, 323, 324, 307, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand. It is specifically alleged that petitioner no.1 poured kerosene oil on the body of the informant when petitioner no.2 Asmul Ali, lit fire.

It is submitted by learned counsel for the petitioners that superficial burn injury has been found and the petitioners are still ready to keep the informant with dignity.

It is submitted by learned counsel for the informant that superficial to deep burn injury has been found and accusation is specific against petitioner nos. 1 and 2.

Considering the same, let the learned Court below consider the prayer for regular bail of petitioner nos.1 and 2 keeping in view of the discrepancy between the medical opinion as well as the accusation, if they surrender within a period of six weeks in connection with Manjhagarh P.S. Case No.78/2015, pending before the learned Judicial Magistrate, 1st Class, Gopalganj.

With the above observation, this application, so far as it relates to petitioner nos. 1 and 2 is, accordingly, disposed off.

So far as petitioner nos. 3 and 4 are concerned since there is no specific accusation against them, let them 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 Judicial Magistrate, 1st Class, Gopalganj, in connection with

Manjhagarh P.S. Case No.78/2015, subject to the conditions as
laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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