

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23628 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -BASANTPUR District- SIWAN

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1. Taslim Ansari Son of Mohammad Miyan
2. Sayada Khatoon Wife of Taslim Ansari Both residents of Village : Telia Basauli, P.S. Nabiganj, District : Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Basantpur P.S. Case No. 150 of 2016 registered under Sections 304(B), 498(A) of the Indian Penal Code and Section 3 of Dowry Prohibition Act.

The accusation is that the marriage of Shabnam Khatoon, daughter of the informant Sobratan Khatoon, was solemnized on 26.04.2015 with Masoom Ansari, son of the petitioners, who made demand of motorcycle in *Vidai* but assurance was given to fulfill the demand as soon economic condition will improve in future. After few days, her in-laws started to torture her on account of non-fulfillment of motorcycle. In the meantime, on 17.04.2016, informant received information



on mobile that her daughter has been killed by her in-laws. The informant along with her son went there and found that the dead body of her daughter was kept in the courtyard and blood was oozing out from her nose and strangulation mark was found on her neck.

Learned counsel for the petitioner submits that petitioners are innocent and have been falsely implicated in this case. In fact, mental condition of deceased was not good and she was committed suicide, to which, witnesses in paragraph 25, 26, and 27 have also supported that her mental condition was not good. Her dead body was buried in presence of family members of the deceased and this case has been lodged by the informant with an ulterior motive after fifty-two days of occurrence. It is further submitted that similarly situated co-accused, has already been granted privilege of bail by this Court vide order dated 07.04.2017 passed in Criminal Misc. 55195 of 2016.

Having regard to the facts and circumstances of the case, and considering that the petitioners are father-in-law and mother-in-law, let the provisional bail granted on 14.07.2017, to the above named petitioners, is hereby confirmed.

(Rajendra Kumar Mishra, J)

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