

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53797 of 2016

Arising Out of PS.Case No. -304 Year- 2014 Thana -BANIAPUR District- SARAN

- =====
1. Fatma Khatoon @ Fatma Bibi wife of Mehendi Mian @ Mehendi Hasan,
 2. Mehendi Mian @ Mehendi Hasad son of late Juman Miyan,
 3. Saida Bibi @ Shyeda Begum wife of Khalil Mian,
 4. Khalil Miyan son of Mehendi Mian @ Mehendi Mian,
 5. Akbar Ali @ Akbar Mian son of Mehendi Mian @ Mehendi Hasan,
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 17-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341/324/326/307/504 of the Indian Penal Code.

Perused the explanation of the Court concerned and the same is accepted. Case-diary has already been received.

According to F.I.R. Fatma Khatoon @ Fatma Bibi, Saida Bibi @ Shayda Begum and Khalil Miyan allegedly burnt to the informant as a result whereof she died subsequently.

There is no such or other allegation against the petitioners Mehdi Mian and Akbar Ali @ Akbar Mian. However,



they were the members of the unlawful assembly and were involved in pouring kerosene oil.

Submission of the petitioners is that independent witnesses stated before the police that due to family dispute the informant had committed suicide.

On the other hand, learned Additional Public Prosecution submits that one more eyewitness has also supported the allegation as levelled in the F.I.R., besides the restatement of the informant.

Considering the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners in connection with Baniapur Police Station Case No. 304 of 2014 pending in the Court of Mr. S.D. Bharti, learned Judicial Magistrate, 1st Class, Saran at Chapra/Successor Court.

Accordingly, the prayer for anticipatory bail is rejected.

Mkr./-

(Birendra Kumar, J)

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

