

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49753 of 2016

Arising Out of PS.Case No. -362 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Md. Safif @ Md. Sarif Son of Late Md. Ibrahim,
2. Noorjahan, W/o. Md. Safif
3. Khusbhoo Parween, D/O Md. Safif all permanent residents of village-
Veermamal, P.S. Belsar, District- Vaishali at present residing at Sector-5,
Sapna Nagar, P.S.- Gandhi Dham, District- Kutch, Gujrat.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Section 304B/34 of the
Indian Penal Code.

Victim Najni Khatoon, the daughter of the informant,
was allegedly done to death for non-fulfilment of the dowry
demand within three years of her marriage. The petitioners are in-
laws of the victim.

Learned counsel for the petitioners submits that only
family members have supported before the police regarding the
allegation of illegal demand and torture; whereas some



independent witnesses, who are co-villagers have stated to the police that everything was O.K. and all of a sudden they heard a noise of unnatural death.

Petitioner Md. Safif @ Md. Sarif and petitioner Noorjahan are the parents of the husband of the deceased. Considering the nature of allegation against them, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail is rejected.

Since petitioner Khushboo Parween is unmarried girl, She, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, is directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/Successor Court in connection with Vaishali Police Station Case No.362 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the application stands disposed of.

(Birendra Kumar, J)

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