

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4634 of 2017

Arising Out of PS.Case No. -791 Year- 2016 Thana -BANKA District- BANKA

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1. Fuchan Mian @ Md. Fuchan Ansari @ Raish son of Late Ali Hussain
 2. Bhukhiya Bibi @ Saijun Bibi, Wife of Fuchan Mian @ Md. Fuchan Ansari @ Raish
 3. Salim Mian @ Md. Salim Ansari, Son of Fuchan Mian @ Md. Fuchan Ansari @ Raish
 4. Rashida Bibi, wife of Salim Mian @ Md. Salim Ansari. All are residents of Village- Baliya Mahra, P.S. Banka, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 21-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Banka P.S. Case No. 791 of 2016 for the offences punishable under sections 498 A, 307, 326/34 and 304 B of the I.P.C.

The informant Sanjeeda Bibi was burnt by her husband Md. Zilani Ansari after sprinkling kerosene oil and then one Anwar Ansari poured water on her and doused the fire. The informant became unconscious and thereafter she was brought in the hospital. It is alleged that the husband used to torture just after



the marriage and these petitioners being father-in-law, mother-in-law, elder brother-in-law and Gotni also used to torture her. The petitioner no.4 also assisted the husband in burning the informant.

Submission is of false implication and that against the petitioners there is no specific allegation, the allegations are omnibus and general in nature, specific allegation is against the husband for burning the informant who later on died during treatment. The petitioners are living separately from the husband of the deceased (informant), these petitioners have got no concern with the family affairs of the deceased and her husband, in the case diary also except the family members no one has come forward to support the prosecution version, before the S.D.P.O. Anwar Ansari has stated regarding innocence of the petitioners and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that the petitioners are father-in-law, mother-in-law, Bhaisur and Gotni and against them there is no specific allegation and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Banka in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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