

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25556 of 2017

Arising Out of PS.Case No. -227 Year- 2011 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mokhtar Mian, son of Kayamat Mian
 2. Kayamat Mian, son of Late Sobrati Mian Both residents of Village - Parsauni, P.S. - Paharpur, District - East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 07-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Paharpur P.S. Case no. 227 of 2011, registered under Sections 364, 494 and 120-B of the Indian Penal Code.

The allegation of informant Jamir Mian is that he performed the marriage of his daughter Salma Khatoon with the petitioner No.1 Mokhtar Mian, son of petitioner No.2 Kayamat Mian, when informant went to the house of the petitioner to meet with his daughter and asked the petitioner to meet his daughter then they did not call his daughter. The informant raised suspicion about killing of his daughter by the petitioner as his son-in-law, petitioner No.1 has performed re-marriage and his daughter is traceless.

Learned counsel for the petitioners submits that, in fact,



the marriage of Salma Khatoon, daughter of the informant, was performed with the petitioner No.1, but she was unsound mind and usually she left the house without giving any information and on the suggestion of the informant, the petitioner No.1 performed his remarriage. Further submission is that daughter of the informant left the house without giving information, when she could not return to the house then only on suspicion, this case has been lodged. Further submission is that witnesses in para 6, 7 and 8 of the case diary have stated this fact that daughter of the informant was unsound mind and she was in the habit of left the house and stay outside several days and often return to her house after several days. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 227 of 2011, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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