

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2623 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -BHARGAWAN District- ARRARIA

- =====
1. Md. Rajjak Son of late Nawajil
 2. Shera Khatoon Wife of Md. Rajjak Both the above are residents of Village- Chandani Ghasi Bhatgama, P.S. Bhargama, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Moijim Son of late Mosilim Resident of Jorabganj, P.S. Kumar Khand, District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tanuja Kumari (Mishra)

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-02-2017 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 Bhargama P.S. Case No. 101 of 2016 for the offences punishable under section 304 B/34 of the I.P.C.

Bibi Meena Khatoon, the daughter of the informant, was married to Md. Mansoor six years ago. Out of the wedlock there are two sons and Meena Khatoon was pregnant and in that condition due to non fulfillment of demand of dowry by way of Rs. 50,000/- she was tortured and assaulted by her husband and other in-laws including the petitioners and ultimately she was strangled to death.



Submission is of false implication and that the petitioners are old father-in-law and mother-in-law, they are residing separately from the husband of the deceased since long, other brothers of husband of the deceased are also living separately and this fact has come during investigation, vide paragraphs- 35 and 36 of the case diary, and as such the petitioners deserve sympathetic consideration as against them there is no specific allegation.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners are named in the FIR and some of the witnesses have supported the allegation.

In the facts and circumstances as stated above, considering that the petitioners are father-in-law and mother-in-law having 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. Araria in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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