

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11337 of 2017

Arising Out of PS.Case No. -102 Year- 2013 Thana -KATIHAR District- KATIHAR

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1. Ash Mohammad Son of Late Suleman
 2. Rehana Begum Wife of Ash Mohammad
 3. Zera Parween @ Zeba Perveen Daughter of Ash Mohammad. All are resident of Jahajbari Peter Bagan Mangal Ghanti, Building No. 44, Koertali, P.S. Baguiati, District- Kolkata-20

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 10-05-2017 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 Katihar Town P.S. Case No. 102 of 2013 for the offence punishable under section 306/34 of the I.P.C.

Allegedly, the son of the informant married with petitioner no.3, committed suicide due to the torturous act of the petitioners. The petitioners used to cause threats to the son of the informant when he used to go in the court in connection with the case lodged by petitioner no.3 under section 498 A of the I.P.C. and other sections and ultimately being harassed by the actions of



the petitioners the son of the informant committed suicide after writing a suicidal note.

Submission is of false implication and that U.D. case No. 01 of 2013 was registered earlier and after two months of the said U.D. case this case has been lodged, at the time of registering of the U.D. case regarding suicide committed by the son of the informant no suicidal note was found and after manipulation suicidal note has been brought, from the suicidal note also no offence against petitioner nos. 1 and 2 is made out, there is no allegation against petitioner nos. 1 and 2. Sofar, petitioner no.3 is concerned, also there is no abetment on behalf of petitioner no.3, the son of the informant committed suicide without any reason and out of frustration, the son of the informant has tortured the petitioner no.3 and for that earlier case was lodged, the allegation for demanding money is absolutely false and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the investigation is still going on.

In the facts and circumstances as stated above, considering that this case has been lodged after much delay after registering the U.D. case 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. Katihar 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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