

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.3459 of 2018**

Arising Out of PS.Case No. -232 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

- =====
1. Hashmun Nishan, Wife of Md. Alamgir,
  2. Lajina @ Lajina Khatoon, Wife of Md. Chand. Both are residents of Village- Kasbe Aahar, P.S. Tajpur, District- Samastipur.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Dilip Kumar Roy, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      18-01-2018                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 342, 307 and 498(A)/34 of the IPC. Later on, Section 302 of the IPC was also added.

The prosecution story, in brief, is that the accused persons including the petitioners killed the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been



implicated in the present case due to petty family dispute. The petitioners are in-laws of the deceased. They are separate in mess and property from the husband of the deceased. The alleged incident has taken place after 14 years of marriage. Earlier the case was instituted for the offence under Sections 342, 307 and 498(A)/34 of the IPC and in course of treatment, deceased succumbed to the injuries. Thereafter, Section 302 of the IPC was added. It is further submitted that the deceased had committed suicide. There is no eye witness to the alleged occurrence nor there is any substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Samastipur, in connection with Tajpur P.S. Case No. 232 of 2016, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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