

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6254 of 2018

Arising Out of PS.Case No. -237 Year- 2017 Thana -BARARI District- KATIHAR

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1. Md. Khurshid @ Khurshid Ali, S/o Daud Ali,
2. Md. Musfique S/o Md. Khurshid @ Khurshid Ali ,
3. Khusu W/o Md. Khushid @ Khurshid Ali R/o Balughat, P.S.- Barari,
Distt.- Katihar.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2018 The petitioners are apprehending their arrest in connection with Barari (Semapur) P.S. Case No. 237 of 2017, registered for offences punishable under Sections 304B/34 of the IPC.

Petitioner no. 1, is father in law of the deceased, petitioner no. 2, is brother in law of the deceased and petitioner no. 3 is the mother in law of the deceased and the allegation against them is of causing death of the deceased on non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that they are in laws of the deceased and have no role to play in the death of the deceased. It has also been submitted that villagers have also stated that they had seen the deceased along with her



husband and the said husband has also confessed his guilt.

Learned counsel for the State objected the prayer for bail and submitted that there were several injuries on the person of the deceased and it cannot be possible that only one person can commit such an offence and throw the dead body of railway track.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, so far petitioner nos. 1 and 2 are concerned, I am not inclined to grant the privilege of anticipatory bail to them.

So far petitioner no. 3 is concerned, considering the fact and also the fact that she is a lady, let the petitioner no. 3, namely, Khusu, in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Barari (Semapur) P.S. Case No. 237 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the



concerned Court.

- (ii) The petitioner shall cooperate in the investigation and make herself available as and when required by the police and on the event of failure on her part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

(Vinod Kumar Sinha, J)

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