

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53409 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Mansoor @ Manzoor Son of late Sahid
2. Ashmina Wife of Mansoor,
Both are Resident of Village- Baturbari Jumman Chowk, Police Station-
Tarabari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 11-01-2018 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Tarabari P.S. Case No. 70 of 2017, registered for the offences
punishable under Sections 304(B), 201/34 of the Indian Penal
Code.

Anjum Ara, the daughter of the informant was
married to Md. Sayak the son of the petitioners two years ago and
allegedly due to non-fulfillment of demand of dowry the F.I.R.
accused persons burnt her to death and were trying to cremate the
dead body.

Submission is of false implication and that the
petitioners are old father-in-law and mother-in-law having no
concern with the family affairs of the deceased and her husband,
they are living separately. The husband is in custody. There is no



specific allegation against them and, as such, they deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that during investigation all the witnesses have supported the allegations regarding the hands of the petitioners also in the crime and witness Islam has specifically stated the hands of the petitioners and husband in the crime, similarly witnesses Md. Kalam and Md. Murshid have also stated. The learned A.P.P. referred para 33, 34 and 35 of the case diary.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners serious in nature, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with Tarabari P.S. Case No. 70 of 2017, pending in the Court of learned Additional Chief Judicial Magistrate-Vth Araria.

However, in case and if so advised the petitioner surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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