

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20753 of 2018

Arising Out of PS.Case No. -23 Year- 2017 Thana -KODHOBARI District- KISANGANJ

- =====
1. Julfon Khatun, W/o Abdul Gaffar @ Gaffar,
 2. Abdul Gaffar @ Faffar S/o Farjan,
 3. Ismetara Khatun, W/o Hasebul, All R/o Village- Hasnabad Laxmipur,
P.S.- Kodhobari, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-04-2018

It is submitted by learned counsel for the

petitioners that petitioner no. 1, Julfon Khatoon, the mother-in-law of the victim has been arrested, hence, the application on her behalf has become infructuous and accordingly, it is disposed of.

The petitioner no. 2, being the father of the husband of the victim and petitioner no. 3, being the first wife of the husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case as per the written report of Allauddin dated 18.09.2017 at 4.15 P.M. submitted to the Station House Officer, Kodhobari P.S., District – Kishanganj, to



the effect that accused Hasebur established the illicit relationship with the daughter of the informant namely, Tabassum Khatoon about one year prior to the occurrence and subsequently they got married. After the marriage the daughter of the informant was kept well for one or two months, thereafter demand of cash, jewellery and motorcycle was made by the son-in-law of the informant and due to the non-fulfillment of the same, the daughter of the informant was subjected to torture. On 16.09.2017 at 7.00 P.M. the son-in-law of the informant made a call to the informant and expressed his desire that he wants to talk to his wife, upon which the informant handed over his mobile to his daughter and both continued talking for half an hour. Thereafter, the son-in-law of the informant asked her to come back, called the daughter of the informant to in-laws house, thereafter, she went there and thereafter, killed the daughter of the informant.

It is submitted by learned counsel for the petitioners that the accusation is not specific against petitioner nos. 2 and 3. The thrust of accusation is against the husband of the victim and he is in custody.

Learned APP submits that there is specific accusation of killing the daughter of the informant.



Considering the fact that thrust of accusation is against the husband of the victim, let the above named petitioner nos. 2 and 3 be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kodhobari P.S. Case No. 23 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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