

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15820 of 2018

Arising Out of PS.Case No. -38 Year- 2017 Thana -KHAIRA District- SARAN

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1. Mahmood Mian @ Mahmood Ali, Son of Allauddin @ Allauddin Mian,
2. Nasima Begum @ Nasima Khatoon @ Nasina, Wife of Mahmood Mian
@ Mahmood Ali, Both resident of Village- Rasauli, P.S.- Panapur, District-
Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Khaira P.S.Case No.38 of 2017 , registered for offences punishable under Sections 302 and 201 of the Indian Penal Code.

Allegation against the petitioners and other accused persons is of causing death of the deceased, who happens to be ‘*Bhabhi*’ of the petitioner no.1 and ‘*Gotani*’ of the petitioner no.2. Petitioner no.2 is the wife of the petitioner no.1.

Submission of the learned counsel for the petitioners is that only on the suspicion, they have been made accused and nothing specific has been attributed against them but the marriage was solemnized 15 years ago.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.c.J.M. Xth, Saran at Chapra in connection with Khaira P.S.Case No.38 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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