

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49990 of 2018

Arising Out of PS.Case No. -63 Year- 2018 Thana -PIPRA District- SUPAUL

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1. MEHRUN KHATOON @ MEHREN NISA, W/o Md. Rustam,
 2. Samila Khatoon @ Samila Begum, W/o Md. Rafik @ Md. Rafik Alam,
 3. Md. Fajloor Rehman @ Fazlu Rahman @ Md. Fajloor, S/o Late Kankir Miya, All R/o Vill.- Pathra Sough, P.S.- Pipra, District- Supaul.
 4. Md. Munna @ Munna Alam, S/o Md. Sadik,
 5. Md. Safik, S/o Late Md. Jahoor Mian, Both R/o Vill.- Aurahi, Chandanpatti, P.S.- Gamharia, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun, Advocate.

For the Opposite Party : Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application on behalf of petitioner no. 3 Md. Fajloor Rehman @ Fazlu Rahman @ Md. Fajloor as he died during the pendency of the present anticipatory bail application, in connection with Pipra P.S. Case No. 63 of 2018, pending in the court of learned A.C.J.M.-IIIrd, Supaul.

Permission is accorded.

The anticipatory bail application on behalf of petitioner no. 3 Md. Fajloor Rehman @ Fazlu Rahman @ Md. Fajloor is dismissed as withdrawn.



Heard learned counsel for the petitioner nos. 1, 2, 4 and 5, learned counsel for the informant and learned counsel for the State.

The petitioner nos. 1, 2, 4 and 5 are apprehending their arrest in a case for the offence registered under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the daughter of the informant was married with co-accused Md. Kabir in the year 2005-06 and from their wedlock deceased was blessed with two daughters. It is further alleged that since the date of marriage, his daughter was used to beaten by the accused persons to solemnize second marriage of husband of deceased. He further alleged that on 24.04.2018 all the accused persons including the petitioners killed his daughter by throttling.

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 are in-laws of the deceased. They are separate in mess and property from the husband of the deceased. The alleged occurrence is said to have taken place after 13 years of marriage. The petitioners have no concern with the alleged occurrence. The husband of the deceased is in custody.



On behalf of the State and the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1, 2, 4 and 5 above named, (except petitioner no. 3 Md. Fajloor Rehman @ Fazlu Rahman @ Md. Fajloor) 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.-IIIrd, Supaul, in connection with Pipra P.S. Case No. 63/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

