

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38715 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -THAWE District- GOPALGANJ

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1. Tara Hussain, S/o late Sk. Sultan,
2. Noor Jannat W/o Tara Hussain, R/o vill.- Mir Alipur, P.O. - V.S. Mill,
P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Thawe P.S.Case nO.57 of 2018 , registered for offences punishable under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that husband of the deceased has illicit relation with his *Bhabhi* Noor Sabina for that purpose when complaint was made accused persons undertook that no such act will happen in future and it is stated that her husband , father-in-law, mother –in-law and other accused persons have set her on fire causing her death.

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed and it further appears that there was illicit relationship between the husband of the deceased with *bhabhi* of the deceased and for that she has



committed suicide.

Heard learned A.P.P., who has opposed the prayer for bail on the ground that the marriage was solemnized only four months ago.

Having heard both sides and in view of the facts and circumstances, as stated above that 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 C.J.M., Gopalganj in connection with Thawe P.S.Case No.57 of 2018 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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