

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61841 of 2018

Arising Out of PS. Case No.-248 Year-2018 Thana- NAUTAN District- West Champaran

1. Harish Begam @ Harina Begam, W/o Nesar Ahmad @ Sk. Nisar,
 2. Nesar Ahmad @ Sk. Nisar, S/o Late Shekh Mahbub @ Late Sk. Mahboob,
 3. Farman Ahmad @ Sk. Farman, S/o Nesar Ahmad @ Sk. Nisar,
- All resident of Vill- Kunalahi, P.S.- Nautan, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate.
For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 304(B) and 302/34 of
the IPC.

The prosecution story, in brief, is that on 13.05.2018
at 5.00 P.M., petitioner no. 2 Nesar Ahmad informed the
informant over Telephone that his daughter, Shahnaz Khatoon
(deceased) has sustained burn injuries and she has been
admitted at M.J.K. Hospital, Bettiah. He went in the Hospital
where the deceased had disclosed him that all accused persons
assaulted her by fists and slaps. Her husband co-accused Nehal



Alam poured Kerosene Oil over her body, co-accused Harina Begam gave Match Box to co-accused Nehal Alam who set the deceased on fire. Co-accused Nehal Alam had come to the informant's house and he had demanded Rs. 1,00,000/- and a motorcycle in dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioners. Petitioner no. 1 is mother-in-law, petitioner no. 2 is father-in-law and petitioner no. 3 is *Dewar* of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in custody.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 C.J.M.



Bettiah, in connection with Nautan P.S. Case No.248 of 2018,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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