

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9011 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- RAUTARA District- Katihar

1. Anamul Haque @ Md. Enamul Haque, S/o Late Md. Najeer Husain Resident of Village- Rautara Haji Tol, P.S- Rautara, P.S. Rautara, District Katihar.
2. Md. Ashfaq Alam, Son of Late Md. Najeer Husain, Resident of Village - Rautara Haji Tol, P.S. Rautara, District Katihar.
3. Md. Azharul @ Azharul, Son of Late Md. Najeer Husain, Resident of Village - Rautara Haji Tol, P.S. Rautara, District Katihar.
4. Sabera Khatoon @ Tullu Khatoon, Wife of Late Md. Najeer Husain, Resident of Village - Rautara Haji Tol, P.S. Rautara, District Katihar.
5. Malika Khatoon @ Malekha Khatoon, Wife of Jiyaul Haque, Resident of Village - Rautara Haji Tol, P.S. Rautara, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bikramdeo Singh, Advocaee.
		Mr.Sanjay Kumar, Advocate.
For the Opposite Party/s :		Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rautara P.S. Case No. 60 of 2018, registered under Section 304(B)/34 of the Indian Penal Code.

The accusation is of torturing the sister of the informant by her husband, Md. Jiyaul Haque, due to non-fulfillment of demand of cash of Rs.100,000/-. Thereafter, case regarding torturing of sister of the informant was lodged and the same was disposed of due to



compromise, but later on, sister of the informant was administered poison by her husband and in-laws and she died in hospital.

Learned counsel for the petitioners submits that petitioner nos. 1, 2 and 3 are brothers-in-laws and petitioner no. 4 is mother-in-law whereas petitioner no. 5 is Gotni of the deceased, sister of the informant. Further submission is that it would appear from the F.I.R. that the allegation of demand of dowry and torturing of the sister of the informant is only against Md. Jiyaul Haque, husband of sister of the informant, and only general and omnibus allegation has been made against the petitioners to administer the poison to the sister of the informant, who died in course of treatment.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M. Katihar, in connection with Rautara P.S. Case No. 60 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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