

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15952 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- EKMA District- Saran

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1. PINKI KHATOON @ RAJIA KHATOON, age about 24 years, Gendeer-Female, Wife of Serajuddin Ali Resident of village-Bagaura, P.S-Duraunda District-Siwan
 2. Shamshad Hussain, aged about 22 years, Gender-Male, Son of Chinna Miyan Resident of village-Fuchti @ Fuchatti Khurd, P.S-Ekma Dist.-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Binod Singh
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2019 Heard both sides.

The petitioners apprehend their arrest in Ekma P.S.
Case No.259 of 2018 registered under Sections 498(A), 302,
304(b)/34 of the Indian Penal Code.

The informant alleged that his daughter was married to Md. Israil @ Pintu Mian on 06.06.2012. On 15/16.10.2018, his daughter rang him and disclosed that her husband and other in-laws were assaulting her and thereafter, the phone was disconnected. The informant alleged that when the informant went to the house of his daughter, the dead body of his daughter was found on the bed and all the family members were absent.

The learned counsel for the petitioners submits that



petitioner No.1 is married sister-in-law and petitioner No.2 is brother-in-law of the deceased. Petitioner No.1 is residing in her own in-laws house and petitioner No.2 is residing at Delhi to earn his livelihood. The marriage was solemnised in the year 2012 but after the marriage and before the death of the deceased, neither the informant nor the deceased made any complaint of ill treatment at the hands of the petitioners. The police after investigation found the accusation against the petitioners false and submitted final form but the learned Judicial Magistrate took cognizance after differing with the findings of the investigating officer. It is further submitted that mother-in-law and husband of the deceased are in custody.

Having considered the facts that of course the petitioners are named in the F.I.R. but petitioners are married sister-in-law and brother-in-law of the deceased and the fact that police after investigation found the accusation against the petitioners false and submitted final form but differing with the findings of the I.O., learned court below took cognizance, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each



with two sureties of the like amount each to the satisfaction of
the learned A.C.J.M.-I, Saran at Chapra connection with Ekma
P.S. Case No.259 of 2018, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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