

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17242 of 2019

Arising Out of PS. Case No.-218 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. MD. SAJJAD @ MD. SHAJJAD aged about 30 years (Male) Son of Md. Esha
 2. Md. Meraj aged about 22 years Male, Son of Md. Esha
Both Resident of Village- Aadharpur, P.S.- Mufassil, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Muffasil P.S. Case No. 218 of 2018 registered under Sections 304(b), 120B/34 of the Indian Penal Code.

In the present case, petitioners are elder and younger brother of the husband of the deceased. In the First Information Report, the specific allegation of demand of dowry is against Md. Azaj the husband but then it is alleged that the other persons namely mother-in-law, Dewar and other family members were indulged in committing torture upon the sister of the informant as she was not bringing adequate dowry. The informant alleged that these persons have conspired and killed



his sister.

Learned counsel submits that the mother-in-law against whom there is similar allegation has been granted privilege of anticipatory bail by a learned coordinate Bench of this court in Cr. Misc. No. 67204/2018 vide order dated 05.11.2018. A copy of the order is enclosed as Annexure-2 to the present application.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein there are general and omnibus allegations against all other family members except the husband and that similarly situated accused has been granted privilege of anticipatory bail, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – V, Samastipur, in connection with Muffasil P.S. Case No. 218 of 2018 subject to condition that they will be present for interrogation to the Investigating Officer within a period of two weeks from today and shall cooperate in course of



investigation as also shall abide by the other terms and conditions mentioned in Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

