

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26397 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. FAIYAZ MIAN Son of Late Kaimu Mian @ Late Kyamoddin Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.
2. Shahdullah Alam @ Sahdullah Mian @ Sahilah Mian Son of Faiyaz Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.
3. Jubaida Khatoon Wife of Faiyaz Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.
4. Saiyada Khatoon @ Sajada Khatoon Daughter of Faiyaz Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.
5. Badshah Mian Son of Sukhal Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.
6. Rabeya Khatoon Wife of Badshah Mian Resident of Village- Rewtith, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baikunthpur P.S. Case No. 313 of 2018, disclosing offences under Sections 304(B)/34 of the Indian Penal Code, including Section 3/4 of the Dowry Prohibition Act.

Petitioner nos 1 and 3 are father-in-law and mother-in-law of the deceased. Petitioner nos. 2 and 4 are the brother and sister of the husband of the deceased, whereas petitioner nos. 5 and 6 are near relatives of the husband of the deceased. The husband of the deceased is in custody, learned counsel for the petitioners submits.



He is correct in his submission that there is no specific allegation of demand of dowry against these petitioners and there is no basis for the allegation in the FIR that these petitioners were instrumental in the death of the deceased.

Considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on 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 Judicial Magistrate, 1st Class, Gopalganj in Baikunthpur P.S. Case No. 313 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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