

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44697 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. MAIMUN NISHA @ MAIMUNISHA, aged about 74 years, Female, W/o Md. Kamaluddin, Resident of Village-Kagji Muhalla, P.S-Bihar, District-Nalanda
2. Arshad Kamal @ Mohammad Arshad Kamal , aged about 38 years, Male, Son of Kamal Uddin, Resident of Village-Kagji Muhalla, P.S-Bihar, District-Nalanda

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Raj Kishor Prasad, Adv.
For the Opposite Party : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bihar P.S. Case No. 241 of 2019 registered under Section 304B/34 of the Indian Penal Code.

The accusation is of killing of daughter of the informant by pressing the neck holding the gamchha by her husband with the help and other in-laws, due to non-fulfillment of demand of cash of Rs.1,00,000/-. In fact, deceased and her husband, Md. Hasrath Kamal, used to live separate to the petitioners, who are mother-in-law and brother-in-law of the deceased, but, with ulterior motive the petitioners have also been implicated in this case without any specific overt act.



More over, Md. Hasrath Kamal, husband of the deceased, is in custody.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bihar P.S. Case No. 241 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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