

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46563 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- ANGARH District- Purnia

1. MD. SHAH ALAM @ FAKIRA @ SHAH ALAM Son of Mehdi Hasan Resident of Village- Hariyakhal (Pashchim Tola), Police Station- Angarh, District- Purnea.
2. Maimun Nisha @ Maitun @ Maimun Wife of Mehdi Hasan Resident of Village- Hariyakhal (Pashchim Tola), Police Station- Angarh, District- Purnea.
3. Md. Sohrab @ Shorab Son of Itwari Resident of Chilhapara, P.S.- Balrampur, District- Katihar.
4. Tabassum Begum @ Tabassum @ Tabbasum Begum @ Tabbasun Begum Wife of Md. Sohrab @ Shorab Resident of Chilhapara, P.S.- Balrampur, District- Katihar. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 18-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 304 B/34 of the Indian Penal Code.

Sister of the informant has performed love marriage with Shakir Mojahid and her husband and in-laws of committed her murder strangulating her over dowry demand.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have been falsely implicated in this case. The allegation levelled against the



petitioners are not specific rather general and omnibus in nature. Petitioner no.1 happens to be brother-in-law, petitioner no.2 mother-in-law, petitioner no.3 brother-in-law (bahnoi) and petitioner no.4 is the married sister-in-law of the deceased. They neither made any demand of dowry nor tortured the deceased over said demand nor eliminated her. They have been living separately from the deceased and her husband and they have no concern with their affairs. As a matter of fact, the husband of the deceased wanted to take loan in the name of the deceased for his some relative for which the deceased was not agreed which was followed by some altercation between them and being peeved up with the same the deceased committed suicide by hanging her. Witnesses of the P.O. village unanimously supported the case of the petitioners. The husband of the deceased is in custody.

Learned APP for the State opposed the bail petition.

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/- (Rupees Ten Thousand) each with two sureties



of the like amount each to the satisfaction of the learned J.M. 1st
Class, Purnea in connection with Angarh P.S. Case No. 04 of
2019, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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