

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47872 of 2019

Arising Out of PS. Case No.-279 Year-2019 Thana- KHAGARIA District- Khagaria

1. GULSHAN KHATOON W/o Md. Masoom Resident of Village- Jalkaura, P.S.- Khagaria (Gangaur), District- Khagaria.
2. Md. Masoom S/o Md. Razzak Resident of Village- Jalkaura, P.S.- Khagaria (Gangaur), District- Khagaria.
3. Md. Razzak S/o Late Md. Shabibi Resident of Village- Jalkaura, P.S.- Khagaria (Gangaur), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioners and the
State.

The petitioners, being brother's wife, brother and father of the husband of the victim are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Md. Mohiuddin, dated 02.05.2019 submitted to the Station House Officer, Khagaria Police Station, is to the effect that the daughter of the informant, namely, Halima Khatoon was married with Md. Aftab @ Hira six months prior to the lodging



of the present case. Subsequently, further dowry demand of Rs. 1 lac and a motorcycle was made and due to non-fulfillment of the same, torture was inflicted upon the daughter of the informant by the petitioners including all the in-law family members. Ultimately, all the accused persons including the petitioners killed the daughter of the informant by strangulating.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant and the petitioners claim to be separate from the husband of the informant. The accusation against the petitioners is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the informant submits that within six months of the marriage, due to non-fulfillment of the further dowry demand, all the accused persons including the petitioners killed the daughter of the informant.

Considering the thrust of accusation against the husband of the victim, who is in custody, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of



arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Khagaria in connection with Khagaria (Gangour) P.S. Case No. 279 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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