

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76297 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- MAJHAULIA District- West Champaran

1. Akari Miyan, Son of Late Ramjaan Miyan,
2. Abulam Nesha @ Abulam Nesha, Wife of Akari Miyan,
3. Sony Khatoon, Daughter of Akari Miyan,
4. Tamanna Khatoon, Daughter of Akari Miyan, All are resident of Village- Senuwariya, Darji Tola, Police Station- Majhauilya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.-7

For the Opposite Party/s : Mr.Sri Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Majhauilya P.S. Case No. 130 of 2018, disclosing offences under Sections 304B/34 of the Indian Penal Code.

The petitioner no. 1 is the father, petitioner no. 2 is mother and petitioner nos. 3 and 4 are unmarried sisters of the husband of the deceased. The deceased is said to have died on 08.04.2018. From the first information report, I find that no date of marriage is mentioned. It is not evident from the first information report that the death occurred within seven years of the marriage.

Learned counsel for the petitioner has argued that these petitioners have been implicated only because they are



related to the husband of the deceased. He has also submitted that no offence under Section 304B of the Indian Penal Code is made out.

Considering the submission, as above, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 130 of 2018, subject to the condition 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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