

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7725 of 2020

Arising Out of PS. Case No.-424 Year-2019 Thana- JAMUI District- Jamui

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1. NAIHAL ALAM S/o Late Majid @ Majo Resident of Village - Aarah, P.S. - Chandradeep, District - Jamui.
 2. Shahin Praveen W/O Naihal Alam Resident of Village - Aarah, P.S. - Chandradeep, District - Jamui.
 3. Nahid Parween W/O Abdulla, Resident of Village - Aarah, P.S. - Chandradeep, District - Jamui.
 4. Abdulla S/O Baddu Resident of Village - Aarah, P.S. - Chandradeep, District - Jamui.
 5. Md. Faijan S/o Md. Naihal Resident of Village - Aarah, P.S. - Chandradeep, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Md. ilmul Hoda S/O Late Md. Nurul Hoda Resident of Village - Arsara, P.S. - Jamui, District - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Jamui P.S. Case No. 424 of 2019 registered for the offence punishable under Sections 498(A), 341, 323, 307,



120(B) of the Indian Penal Code and Sections 3, 4 of the Dowry Prohibition Act.

The allegation of the prosecution in brief is that the marriage of the daughter of the informant, namely, Saima Parveen was solemnized with Md. Imran on 28.1.2018 and out of the said wedlock, one daughter was born, however subsequently, all the accused persons including the petitioners herein assaulted the daughter of the informant on 6.8.2019 at about 12:00 in the noon, with an intention to kill her and thereafter, have refused to keep her on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioners has submitted that the petitioner no. 1 is father-in-law, the petitioner no. 2 is mother-in-law, the petitioner no. 3 is sister-in-law and the petitioner no. 4 and 5 are brother-in-laws of the victim girl and they are having no complicity in the matter since if at all, anyone is involved in the alleged incident, it is the husband. It is further submitted that the husband of the victim girl had been taken into custody, whereafter he has already been granted regular bail by the learned court below. Lastly, it is submitted that the petitioners are innocent and they are having clean antecedent.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also taking into account the fact that the petitioners are having clean antecedent and they are in-law's of the victim girl whereas the husband had already been arrested and has been granted regular bail by the learned court below, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Jamui P.S. Case No. 424 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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