

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16334 of 2020

Arising Out of PS. Case No.-233 Year-2019 Thana- MIRGANJ District- Gopalganj

1. MUMTAZ KHATOON @ MUMTAJ KHATOON wife of Liyakat Mian @ Musa Mian @ Liyakat Ali, Resident of Village - Line Bazar, Police Station - Mirganj, District - Gopalganj.
2. Zahid Ali Son of Liyakat Mian @ Musa Mian @ Liyakat Ali, Resident of Village - Line Bazar, Police Station - Mirganj, District - Gopalganj.
3. Liyakat Mian @ Musa Mian @ Liyakat Ali Son of Shalim Mian @ Md. Salim, Resident of Village - Line Bazar, Police Station - Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh,Adv.
For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-07-2020 Heard both sides through Video Conferencing.

Petitioners seek bail in Mirganj P.S. Case No.233 of
2019 registered under Sections 304(B) and 34 of the IPC.

The informant (brother of the deceased) alleged that
his sister was married on 23.06.2019 with Shahid Alam (son of
petitioner nos.1 and 3 and brother of petitioner no.2) but
immediately after marriage, the accused persons began to
demand Hero Splender motorcycle. The informant and his
family members went to the in-laws' house of his sister and
convened a panchayati but the accused persons continued to
torture the sister of the informant. On 18.09.2019 the informant



got information that his sister was burnt to death and her dead body was lying but the accused persons managed to flee away from their house. The informant brought his sister to the hospital, who was in a precarious condition. His sister was referred to Sadar Hospital, Gopalganj where she succumbed to the injury in course of treatment.

Learned counsel for the petitioners submits that the petitioners are mother-in-law, brother-in-law and father-in-law of the deceased. They are living separately and they have no manner of concern with the family affairs of the deceased. The husband of the deceased is in custody.

It appears that, of course, the petitioners are mother-in-law, brother-in-law and father-in-law of the deceased but the deceased was burnt to death in her sasural within three months from the date of her marriage with the son of petitioner nos.1 and 3. The informant has made allegation that all the in-laws and the husband of the deceased were torturing his sister due to non-fulfillment of demand of dowry. During course of investigation, the witnesses also reiterated the facts.

Having considered the facts aforesaid and the nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.



The Trial Court is directed to hold the trial on day to day basis and conclude the trial within nine months from the date of receipt of this order.

The S.P., Gopalganj is directed to ensure the presence of the witnesses during course of trial so that the trial must be concluded within nine months.

If the trial is not concluded within nine months, the petitioners may renew their prayer for bail.

Let a copy of this order be sent to the learned trial court and the S.P., Gopalganj for information and needful.

(Prabhat Kumar Jha, J)

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