

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76323 of 2019

Arising Out of PS. Case No.-227 Year-2019 Thana- BARHARIA District- Siwan

1. Hajra Khatoon Wife of Jawed Alam Resident of Nabiganj, P.S.-Barhariya, District-Siwan.
2. Chand Tara Wife of Sattar Mian Resident of Nabiganj, P.S.-Barhariya, District-Siwan.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Fakhruddin Ali Ahmad, Advocate
For the Opposite Party : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 19-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Barhariya P. S. Case No.227 of 2019 registered under Section 304B/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that they have been made accused in the present case only because they happen to be the relatives of the husband of the daughter of the informant. The petitioner no. 1 is the sister-in-law (gotani) and petitioner no. 2 is the mother-in-law of the victim. The husband is in custody. It is further contended that



the petitioners did not subject the victim to cruelty at any point of time. Actually, due to matrimonial discord and incompatibility with the husband, the victim herself consumed poison as a result of which she died. The petitioners have got roots in the society and are not likely to abscond or tamper with the evidence. It is also contended that the petitioner no. 1 was pregnant at the time of occurrence and, recently, she has given birth to a child.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the facts and circumstances of the case as also the submissions made above, the petitioners named above are directed to be released on bail, in the event of arrest or surrender before the court below, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in Barharia P. S. Case No.227 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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