

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21284 of 2021

Arising Out of PS. Case No.-49 Year-2017 Thana- ROH District- Nawada

1. BANO KHATOON @ BANO Wife of Rahat Miyan Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.
2. RIYAZ MIYAN Son of Rahat Miyan Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.
3. SADDAM MIYAN Son of Rahat Miyan Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.
4. RAHAT MIYAN Son of Md. Saukat Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.
5. SAHNAZ KHATOON Wife of Sadaam Miyan Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.
6. MERAJ ALAM Son of Rahat Miyan Resident of Village - Guljarbagh, P.S. - Roh, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan- Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2021 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in connection with Roh P. S. Case No.49 of 2017 registered for the offences punishable under Sections 304(B) and 302/ 34 of the I.P.C.

From bare perusal of the F.I.R., it would manifest that the informant, Sahjad Miyan gave his fard-beyan in the emergency ward of Sadar Hospital on 09.06.2017 at 9.00 P.M.



stating therein that her daughter Gulbsa Parveen was married to Shahav Alam nine months back as per Muslim rites and customs. It is further alleged that few days after marriage, the in-laws started harassing to her daughter for dowry demand of Rs.2 Lakh and 1.1/2 bhar gold and threatened in the event that if she does not bring the same, she would be killed. The daughter of the informant conveyed the same to the informant, but the informant conveyed that he was not able to fulfil the demand of the family members of her husband.

It is next alleged that on 09.06.2017 at about 6.30 P.M., there was a large commotion and the informant rushed to the house of her daughter and saw that her daughter was burnt in her room and her body was in flame and a container of kerosene oil was lying there. When the informant asked from the informant as to how this happened then the daughter of the informant disclosed the name of the accused persons including her husband and the present petitioners.

Learned counsel for the petitioners submits that the husband of the deceased namely, Shahav Alam has faced the trial in the case being Sessions Trial No.386 of 2018 in which the learned Court below after considering all the facts on record acquitted the husband of the deceased from the charges by order



dated 08.04.2019, the copy of the same is kept on the record.

Learned counsel for the petitioners submits that since the husband against whom the allegations hinges in the F.I.R. has been acquitted as the witnesses were not able to prove the charges. As such, the present petitioners, who are mother-in-law, father-in-law, brother-in-law, elder brother-in-law, sister-in-law may be released on bail as they are languishing in jail custody since 22.12.2020 and are persons with clean antecedents.

Considering the period of custody and husband of the deceased has been acquitted and charge-sheet has been submitted in this case, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Roh P. S. Case No.49 of 2017.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

