

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37747 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- JAIPUR District- Banka

1. Bhusiya Bibi @ Abiran Bibi, aged about 28 years, sex-female, Daughter of Irshad Ansari @ Paltu @ Irshad, Wife of Salauddin Ansari Resident of Village- Latasare, P.S.- Mohanpur, District- Deoghar (Jharkhand).
2. Salauddin Ansari, aged about 34 years, Sex-Male, Son of Magruddin Ansari Resident of Village- Latasare, P.S.- Mohanpur, District- Deoghar (Jharkhand).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Pankaj Kumar, Adv.
For the Opposite Party : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and the learned APP for the State.

This Court would expect that the petitioners' Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Jaipur P. S. Case No. 43 of 2020, corresponding to S.T. No. 98 of 2021 registered for offence punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, sister of the informant was subjected to torture and killed due to non-fulfillment of



demand of dowry. Petitioner Nos. 1 and 2 are *Nanad* and *Nandoshi* of the deceased respectively.

It is submitted on behalf of the petitioners that general and omnibus allegation of demand of dowry has been levelled against these petitioners. It is further submitted that these petitioners used to live separately from the family of the deceased much before the marriage was solemnized. It is submitted that the thrust of allegation is against the husband (Md. Idris Ansari) of the deceased who has already been taken into custody. Charge-sheet has already been submitted in this case. Petitioners have got clean antecedent and are in custody since 19.12.2020. Similarly situated co-accused of this case have been granted bail vide order passed in Cr. Misc. No. 4398 of 2021.

Learned APP representing the State has opposed the prayer for bail.

Considering the fact that petitioners are *Nanad* and *Nandoshi* of the deceased and co-accused husband of the deceased who is already in custody, the bail petition of the petitioners is allowed. Let the petitioners, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of learned Additional Sessions Judge-I, Banka,
in connection with Jaipur P.S. Case No. 43 of 2020,
corresponding to S. T. No. 98 of 2021, subject to the following
conditions:-

(i) That one of the bailors will be a close relative of
the petitioners who will give an affidavit giving genealogy as to
how he is related with the petitioners. The bailor will also
undertake to inform the Court if there is any change in the
address of the petitioners.

(ii) That the petitioners will be well represented on
each date and if they fail to do so on two consecutive dates, their
bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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