

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33002 of 2020

Arising Out of PS. Case No.-140 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. Sheikh Intejar, aged about 30 years, male, Son of Sheikh Harun
 2. Sheikh Salim, aged about 27 years, male, Son of Sheikh Harun
 3. Raushan Khatoon, aged about 22 years, female, Daughter of Sheikh Harun
 4. Nashima Khatoon, aged about 58 years, Wife of Sheikh Harun
 5. Sheikh Harun, aged about 60 years, Son of Late Sheikh Tauhid
- All are resident of Village- Madhwa Jirat, P.S.- Turkauliya, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-04-2021 Mr. Umesh Chandra Verma, learned Advocate for

the petitioners seeks permission to withdraw this application

with respect to petitioner No. 4, viz., Nashima Khatoon.

Prayer is allowed.

The application with respect to petitioner No. 4 is

dismissed as withdrawn.

Heard the counsel for the parties.

The prayer for anticipatory bail of petitioner No. 1,



viz., Sheikh Intejar, who is the husband of the deceased, has already been rejected vide order dated 03.03.2021. Provisional anticipatory bail was granted to petitioner No. 3, viz., Raushan Khatoon by the same order, whereas with respect to petitioner Nos. 2, 3, 4 and 5, the case diary was called for.

The petitioner Nos. 2, 3 and 5 seek bail in anticipation of their arrest in connection with Turkauliya P.S. Case No. 140 of 2020, dated 28.02.2020, instituted for the offences under Sections 304B and 34 of the Indian Penal Code.

The petitioner Nos. 2, 3 and 5 are the brother-in-law, the sister-in-law and the father-in-law of the deceased respectively.

It has been submitted on behalf of the petitioner Nos. 2, 3 and 5 that they have been made accused in this case only because of their relationship with Sheikh Intejar, who is the husband of the deceased. The accusation against them, it has been submitted, is general and omnibus. Co-accused/Sheikh Intejar, who is the husband of the deceased,



stays separately from the other petitioners and the petitioners do not have any concern with the daily affairs of the deceased or Sheikh Intejar.

However, considering the nature of accusation, I am not inclined to grant anticipatory bail to petitioner Nos. 2 and 5, viz., Sheikh Salim and Sheikh Harun respectively.

The prayer for grant of anticipatory bail of petitioner Nos. 2 and 5 is, accordingly, rejected.

However, if petitioner Nos. 2 and 5 surrender before the Court below and seek bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained by this Court.

The provisional anticipatory bail granted to petitioner No. 3, viz., Raushan Khatoon is, hereby, confirmed. She shall remain on the same bail-bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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