

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40034 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- CHIRAIYA District- East Champaran

1. Idan Khatoon Wife Of Rumaish Mansoori Resident Of Village - Mahuawa, P.S. - Chiraiya, District - East Champaran
2. Rumaish Mansoor Son Of Ali Mahmad Resident Of Village - Mahuawa, P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajan

For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners seeks permission
of the Court to withdraw this application in respect of petitioner
no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 2

Learned counsel for the petitioner no. 1 is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

The petitioner no. 1 is apprehending her arrest in a case



registered under Sections 304B and 34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and assault and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner nos. 1 that she has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case. The petitioner no. 1 is mother-in-law of the deceased. She is separate in mess and property from the husband of the deceased. The petitioner no. 1 has got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner no. 1, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on her personal bond to the satisfaction of learned A.C.J.M. Sikrahana (Dhaka), East Champaran at Motihari in connection with Chiraiya P.S. Case No. 80/2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner no. 1 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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