

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1944 of 2021**

Arising Out of PS. Case No.-178 Year-2020 Thana- AAJAM NAGAR District- Katihar

1. Jahiruddin Aged About 64 Years S/O Late Sakur Mohammad R/O Village- Shishiya Karamgachhi, P.S.- Azam Nagar, District- Katihar
2. Jumanat Nisha @ Jumanat Nisha Aged About 59 Years W/O Jahiruddin R/O Village- Shishiya Karamgachhi, P.S.- Azam Nagar, District- Katihar

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad, Advocate

For the Opposite Party/s : Mr.A. Dayal, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-03-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the
State.

Petitioners seek bail in a case registered for the offence
punishable under sections 302/304B/34 of the Indian Penal
Code.

As per the prosecution case, petitioners and other
accused persons committed murder of the daughter of the
informant due to non-fulfilment of dowry demand of cash
Rs.60,000/-.

Learned counsel for the petitioners submits that



petitioner no.1 is father-in-law and petitioner no.2 is mother-in-law of the deceased and they live separately from their son. Allegation against them is general and omnibus and husband of the deceased is already in custody. Post mortem report opines that there was ligature mark around the neck of the deceased which suggests that the deceased might have committed suicide by hanging. Petitioners are in custody since 29.7.2020.

Learned counsel for the State opposes the prayer for bail. He submits that as per the allegation, petitioners and their family members have killed the informant's daughter for non-fulfilment of dowry demand.

Considering the facts of the case and the fact that the petitioners are father-in-law and mother-in-law of the deceased, there is general and omnibus allegation against them and are in custody since 29.7.2020, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sessions Judge, Katihar in Sessions Trial No. 188/2020, Azamnagar Police Station Case No. 178 of 2020 on the following conditions:-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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