

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57697 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- DHAKA District- East Champaran

1. SK. AYUB Son of Late Sk. Hadis Resident of Village - Garahiya, P.S.- Dhaka, District- East Champaran
2. Maitun Khatoon Wife of Sk. Ayub Resident of Village - Garahiya, P.S.- Dhaka, District- East Champaran
3. Mahenaz D/O - Sk. Ayub Resident of Village - Garahiya, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Azima Khatoon Wife of Sk. Nurul Haque @ Kanhai, D/O - Qmruddin Resident of Village - Garahiya, P.S.- Dhaka, District- East Champaran. At present Residing at Mahuawa, P.S.- Chiraiya, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Anis Akhtar
For the Opposite Party/s	:	Mr.Surendra Kumar, APP
For the informant	:	Mr. Uma Shankar Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2021 Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

The petitioners are apprehending their arrest in a case registered under Sections 498(A), 302, 201/34 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 petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Earlier the case was instituted under Section 302 IPC but subsequently the victim is said to have been recovered and her statement under section 164 Cr.P.C. was recorded. Hence, no offence under Section 302 IPC is made out in the present case. Rest of the offences are triable by the Magistrate. The petitioners are father-in-law, mother-in-law and sister-in-law respectively to the victim. They have got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, 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 their personal bonds to the satisfaction of learned S.D.J.M., Sikrahna, at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 136/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each 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)

Pankaj/-

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

