

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23400 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- BARURAJ District- Muzaffarpur

1. MD ZALALUDDIN. ANSARI S/o Late Nayamat Hussain Resident of Village- Bhagwanpur, P.S.- P.O. Baruraj, District- Muzaffarpur.
2. Asma Khatoon W/o Zalaludalin Ansari Resident of Village- Bhagwanpur, P.O. and P.O. Baruraj, District- Muzaffarpur.
3. Sebana Khatoon @ Rusana Khatoon D/o Zalaludalin Ansari Resident of Village- Bhagwanpur, P.O. and P.O.- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s :	Dr. Ajeet Kumar, APP
For the Informant/s :	Mr. Sunil Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1.

Permission is accorded.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(b), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant



alleges that her daughter was married to Md. Azhar Ali on 13.06.2019, after marriage the accused persons were demanding a motorcycle, further on 04.08.2021 when he went to meet her daughter she was not allowed to meet the informant, thus alleges that she suspects her daughter was killed and body disposed of.

Learned counsel for the petitioners submits that the petitioners have falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that even the allegation of death of the deceased is not clear, as the informant only suspects that she might have been killed, it is also submitted that the allegation against the petitioners are general and omnibus in nature, it is further submitted that the Azhar Ali has filed a Complaint Case No. 817 of 2021 alleging that one Haider Ali and Firoz have kidnapped his wife. The matter is still pending investigation.

Learned A.P.P. for the State and learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners, but are not able to meet the submission of the learned counsel for the petitioners that the allegations are general and omnibus and the informant is not an eye-witness to the occurrence and even the allegation of the victim been dead



is also not clear.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 2 and 3, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Baruraj P.S. Case No. 150 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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