

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40891 of 2021

Arising Out of PS. Case No.-95 Year-2021 Thana- KARJA District- Muzaffarpur

1. Jalina Khatoon, aged about 50 years (Female), W/O Md. Gulzar, R/O Village-Bhatauna Kandhi, P.S.-Karja, District-Muzaffarpur.
2. Md. Gulzar, aged about 57 years (Male), S/O Habib Mian, R/O Village-Bhatauna Kandhi, P.S.-Karja, District-Muzaffarpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2022 Vide order dated 01.11.2021, the anticipatory bail application of petitioner no. 1, namely, Jalina Khatoon, has already been dismissed as having become infructuous by a Co-ordinate Bench of this Court.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

Learned counsel for the petitioner no. 2 is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioner no. 2 is permitted to make necessary correction in paragraph no. 1 of the present anticipatory bail application, in course of the day.



Now, the petitioner no. 2 is apprehending his arrest in connection with Karja P.S. Case No. 95 of 2021 for the offence registered under Sections 323, 307, 498(A), 504, 506/34 of the I.P.C. Later on, Section 304(B) of the I.P.C. was also added.

The prosecution story, in brief, is that the petitioner no. 2 and others killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner no. 2 that he has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against him. He has been made accused in the present case due to mistake of fact. He is the father-in-law of the victim. He is separate in mess and property from the husband of the victim. He has got no concern with the alleged occurrence.

On behalf of the State, it is submitted that the petitioner no. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner no. 2 above named, (except petitioner no. 1, namely, Jalina Khatoon) in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned
A.C.J.M. 5th, West, Muzaffarpur, in connection with Karja P.S.
Case No. 95 of 2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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