

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47095 of 2021

Arising Out of PS. Case No.-71 Year-2021 Thana- JOKIHAT District- Araria

1. ARSHADI Wife of Md. Sayyad @ Sayyad Alam, Resident of Village-Karahara, P.S.- Mahalgaon, District- Araria.
2. Md Sayyad @ Sayyad Alam Son of Late Mashil, Resident of Village-Karahara, P.S.- Mahalgaon, District- Araria.
3. Md Sayek @ Soek Son of Md Sayyad @ Sayyad Alam, Resident of Village-Karahara, P.S.- Mahalgaon, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Ziaul Quamar
For the State	:	Mr. Shailendra Kumar
For the Informant	:	Mr. Nafisuzzoha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State and the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Jokihat (Mahangaon) P.S. Case No. 71 of 2021 registered for offence punishable under sections 341, 323, 307, 498(A), 504, 506/34 of the Indian Penal Code.



As per allegation, the daughter of the informant was married to co-accused Mohammad Layak three years prior to the occurrence. The accused persons, including the present petitioners demanded Rs. 50,000/- cash. Due to non-fulfillment of demand of dowry, she was subjected to cruelty. On 25.12.2020 at about 9:00 pm, the informant came to know that accused persons had burnt alive the victim. The informant rushed to the matrimonial house of his daughter and saw her in badly burnt condition. For better treatment, the patient was referred to Purnia Sadar Hospital. At the time of lodging of the FIR, the victim was under treatment, but thereafter, she died.

The learned counsel for the petitioners has submitted that the petitioners are in-laws of the deceased and they have no concern with the demand of dowry. He has also submitted that the deceased died after 16 days of lodging of the FIR.

The learned APP has drawn my attention towards paragraph 7 of the case diary, which contains the statement of the deceased recorded prior to her death. The learned APP has submitted that in the above noted paragraph, in the statement of the deceased, it has been mentioned that the deceased was praying her matrimonial inmates to escape her, but they did not listen her and mercilessly killed her by setting her on fire.



In my view, it is not a fit case for anticipatory bail and accordingly the prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Mahesh/-

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

