

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40766 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- DAGARUA District- Purnia

1. MD NAYEEM Son of Late Ismail Resident of Village - Mahamdiya, P.S.-
Dagarua, Distt.- Purnea.
2. Zohra Khatoon Son of W/o Md. Nayeem Resident of Village - Mahamdiya,
P.S.- Dagarua, Distt.- Purnea.
3. Md. Munna @ Moin Son of Md. Nayeem Resident of Village - Mahamdiya,
P.S.- Dagarua, Distt.- Purnea.
4. Md. Ashique @ Md. Hanif Son of Ashif Resident of Village - Mahamdiya,
P.S.- Dagarua, Distt.- Purnea.
5. Masina Khatoon @ Nikhat Parween W/o Md. Ashique Resident of Village -
Mahamdiya, P.S.- Dagarua, Distt.- Purnea.
6. Shahin Praween W/o Munna Resident of Village - Mahamdiya, P.S.-
Dagarua, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioners as well as
learned APP for the State.

Learned counsel for the petitioners is directed to remove
the defects within four weeks.

The petitioners apprehend their arrest in a case registered
for the offence punishable under section 302 and 498(A)/34 of
the IPC.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are the in-laws of the deceased. The petitioners have been living separate in mess and properties, much prior to alleged occurrence of the deceased. The husband of the deceased is already in judicial custody and charge sheet has been submitted against him for offence u/s 306/498(A) of IPC, but the court below differing from the final report took cognizance under section 302, 498(A) and 34 of IPC. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegation against the petitioners and the husband of the deceased is already in judicial custody, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of



the learned court below where the case is pending/Successor
Court in Dagarua P.S. Case No.188 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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