

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64443 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- DULHIN BAZAR District- Patna

1. AKHTARI KHATOON Wife of Mustafa Mian Resident of Village - Bharatpura, P.S. - Dulhin Bazar, District - Patna, At Present Resident of Mohalla - Danapur Lal Kothi, P.S. - Danapur, District - Patna.
2. Chandani Khatoon Wife of Israil Mian @ Md. Israil Resident of Village - Bharatpura, P.S. - Dulhin Bazar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-08-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 328, 304B/34 of the Indian Penal Code.

As per the prosecution case, these petitioners along with other accused persons caused the death of sister of informant due to non fulfillment of demand of dowry.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case and none of the petitioners administered poison to the deceased. As a matter of fact the deceased by mistake



consumed poison in confusion of cough syrup and as soon as it came to the knowledge of family members she was admitted in emergency of PMCH, Patna where she gave her statement (Annexure-2) and from her statement it would appear that no poison was given to her rather she consumed poison by mistake. Petitioner No.1 is married Nanad and petitioner No.2 is mother-in-law of the deceased.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioners are named in the FIR and the deceased died within seven years of her marriage in her matrimonial home under unnatural circumstances.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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