

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70159 of 2021

Arising Out of PS. Case No.-68 Year-2015 Thana- MAHUA District- Vaishali

1. MD. ISLAM Son of Late Md. Kurban, Resident of Village - Alipur Mukund, P.S.- Mahua, District - Vaishali.
2. Md. Ilyas Son of Late Md. Kurban, Resident of Village - Alipur Mukund, P.S.- Mahua, District - Vaishali.
3. Sakina Khatun Wife of Late Md. Kurban, Resident of Village - Alipur Mukund, P.S.- Mahua, District - Vaishali.
4. Md. Abbas Son of Late Md. Kurban, Resident of Village - Alipur Mukund, P.S.- Mahua, District - Vaishali.
5. Tahira Khatun Wife of Late Sarfuddin D/o Late Md. Kurban, R/o Mohalla - Patna City Mogalpura Durukhi, P.S.- Khajkala, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakritita Sharma
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 01-08-2022 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 the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Mahua P.S. Case No. 68 of 2015 registered for offence punishable under sections 302/201/34 of the Indian Penal Code.

As per allegation, the marriage of the daughter of the



informant was solemnized with co-accused Mohammad Akbar in the year 2005. After marriage, his daughter went to her matrimonial house and gave birth to two children, who are aged about 10 years and 7 years. The allegation is that the husband and in-laws of the deceased subjected her to cruelty.

The learned counsel for the petitioners has submitted that on the similar ground, married *Nanad* of the deceased has been granted anticipatory bail and petitioner nos. 1 and 2 are elder brothers of the husband of the deceased and they reside at Kolkata. Petitioner no. 3 is mother-in-law of the deceased. Petitioner no. 4 is elder brother of the deceased and he resides at Lucknow. He has submitted further that as a matter of fact, the father of the deceased was making pressure on the petitioner to execute sale deed in favour of the children of the petitioners who are under the custody of the informant and after execution of the sale deed dated 10th of October, 2014, this case has been lodged. He has also submitted that when the informant realized the real fact, he filed compromise petition.

Considering the above-mentioned facts and circumstances and also considering that the other co-accused Zahira Khatoon has been granted anticipatory bail by this Court in Cr. Misc. No. 68097 of 2021, vide order dated 27.07.2022,



the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 68 of 2015, subject to condition as laid down under section 438(2) Cr. P.C.

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)

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