

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4926 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

1. MD. RASOOL SAH Son of Late Md. Sadique Sah Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur
2. JUBAIDA KHATOON @ JUBAIDA BEGUM Wife of Md. Rasool Sah Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur
3. MD. SABIR @ SHABBIR Son of Md. Rasool Sah Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur
4. RIJWANA KHATOON Wife of Md. Aabid Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur
5. MD. SHAHID Son of Md. Rasool Sah Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur
6. NAJBUL KATOON @ NAJMUN KHATOON Wife of Md. Sabir @ Shabbir Resident of Village- Husainpur, P.S.- Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Allegation against the petitioner is that they killed the sister of the informant over demand of dowry.

Learned counsel for the petitioners submits that no



such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that petitioners are in-laws and family members of the deceased. He submits that there is no specific allegation against the petitioners. He submits that the petitioner are living separately and they have separate mess. Petitioners have got no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed prayer for anticipatory bail.

Having regard to the facts and circumstances of the case there is no specific allegation against the petitioners no. 3 to 6, let the above named petitioners no.3, 4, 5 and 6, 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 connection with Bochahan P.S. Case No. 144 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioners no. 1 and 2, I am not inclined to enlarge petitioners no.1 and 2 on anticipatory bail. The prayer for anticipatory bail of the petitioners no. 1 and 2 is hereby rejected.

(Anjani Kumar Sharan, J)

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