

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22185 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- NOKHA District- Rohtas

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1. KADIR ANSARI S/o- LATE SAH MOHAMMAD ANSARI VILLAGE-
KADAWA PS-NOKHA DISTRICT-ROHTAS
 2. BASIRUDDIN NISHA @ BASIRUN NISHA wife of Kadir Ansari
VILLAGE- KADAWA P S- NOKHA DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners, informant
and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Nokha PS Case No. 383 of 2022, registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Allegations are of having done to death the informant's daughter at her matrimonial home. The killing is preceded by demand for dowry and torture. The marriage was solemnized about 1 and ½ years prior to the alleged occurrence.

The learned counsel for the petitioners submits that the petitioner being father-in-law and mother-in-law have been



robed in this case on extraneous consideration by virtue of their relationship only. In fact, they are living separately and the prosecution has been lunched by institution of FIR, two days after the alleged killing. The husband of the deceased is already in custody.

The learned APP for the State and informant have opposed the prayer for bail.

Considering the rival submission, having regard to the submission of implication due to relationship between the parties and delay in lodging the FIR as also the clean antecedent, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail is allowed.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1, Sasaram, Rohtas, in connection with Nokha PS Case No. 383 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also the following conditions:



(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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