

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32965 of 2023**

Arising Out of PS. Case No.-45 Year-2023 Thana- ARA NAGAR District- Bhojpur

1. HARUN ANSARI Son of Late Md. Saheb Resident of village - Milki Khetari, P.S. - Ara Town, Distt. - Bhojpur
2. Shamshu Nisha @ Samsun Khatoon Wife of Harun Ansari Resident of village - Milki Khetari, P.S. - Ara Town, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                        |
|--------------------------|---|------------------------|
| For the Petitioner/s     | : | Mr.Irshad Ahmad Khan   |
| For the Informant        | : | Mr. Amit Narayan, Adv. |
| For the Opposite Party/s | : | Mr.Umeshanand Pandit   |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      24-06-2023                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

The petitioners seek bail in connection with Ara Town P.S. Case No. 45 of 2023 registered for the offences punishable under Sections 304(B)/34 of the I.P.C.

As per prosecution case, petitioners and others have committed the murder of informant's daughter for not fulfilling the demand of dowry.

Learned counsel for the petitioners submits that petitioners are in custody since 16.01.2023. Petitioners bear no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the



prosecution evidence. Learned counsel further submits that the petitioners are father-in-law and mother-in-law of the deceased. Petitioners have no say with the family affairs of the deceased and her husband. They are living separately from the deceased since long. Petitioners are quite innocent and have committed no offence as alleged in the F.I.R. Being the father-in-law and mother-in-law of the deceased, they are falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties, keeping in view clean antecedent of the petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Ara Town P.S. Case No. 45 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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