

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43086 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. Bibi Asma Khatoon @ Asma Khatoon W/O Md. Kasim R/O Village- Sulindabad Ward No.7, Ps. Saharsa Sadar, Dist. Saharsa
2. Md. Kasim S/O Late Md. Rashid R/O Village- Sulindabad Ward No.7, Ps. Saharsa Sadar, Dist. Saharsa
3. Md. Ashan @ Md. Ehshan S/O Md. Kasim R/O Village- Sulindabad Ward No.7, PS. Saharsa Sadar, Distt. Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-08-2023 Learned counsel for the petitioners filed supplementary affidavit. Let it be kept on record.

2. Heard learned senior counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/304B/201/120B of the Indian Penal Code.

4. The prosecution case in brief is that five years ago the daughter of the informant married with accused Md. Parwej as per muslim rites. After marriage she begun to live in her sasural and gave the birth of two female children.



After some time one motorcycle and one lakh cash was demanded by the in-laws of his daughter. Due to poor economical condition he did not fulfill the demand and on non-fulfillment of their demand his daughter was killed by her husband and in-laws and without conducting post mortem her dead body was buried in hast.

5. Learned counsel for the petitioners submits that petitioners are mother-in-law, father-in-law and Dewar of the deceased. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that the petitioners are the in-laws and family members of the husband of the deceased. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The FIR was lodged after three days of occurrence and cause of delay was not mentioned in the FIR. It is further submitted that petitioners are living separately from the deceased and her husband. By filing supplementary affidavit the learned counsel for the petitioners submits that the husband of the deceased is already in judicial custody.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of



the case, let the petitioners, above named, be released on anticipatory 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 Saharsa P.S. Case No. 161 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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