

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51023 of 2022

Arising Out of PS. Case No.-549 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

1. Md. Sitab Miyan @ Sitab Miyan Son Of Late Jhagru Miyan R/O Village And Post- Bishanpur Patti, P.S.- Sahebganj, District- Muzaffarpur, Bihar-843125
2. Hakima Khatoon @ Hakiman Bibi Wife Of Sitab Miyan @ Kitab Miyan R/O Village And Post- Bishanpur Patti, P.S.- Sahebganj, District- Muzaffarpur, Bihar-843125
3. Md. Naushad Alam @ Mohammad Nausad Son Of Md. Sitab Miyan @ Mohammad Sitab R/O Village And Post- Bishanpur Patti, P.S.- Sahebganj, District- Muzaffarpur, Bihar-843125

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Noushad Khan, Advocate
		Mr. Sita Ram Prasad, Advocate
For the Opposite Party/s	:	Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

6 02-03-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 304B read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners and the



co-accused persons in connivance with one another are alleged to have committed murder of the daughter of the informant by pressing her neck due to non-fulfillment of demand of dowry. It is further alleged that the daughter of the informant was also pregnant at the time of occurrence.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. The petitioner no. 1 is the father-in-law, the petitioner no. 2 is the mother-in-law and the petitioner no. 3 is the brother-in-law of the deceased. He has further submitted that the husband of the deceased is already in custody. The petitioners have got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand)each with two sureties of the



like amount each to the satisfaction of Court concerned, Muzaffarpur in connection with Sahebganj P.S. Case No. 549 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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