

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62583 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- NARPATGANJ District- Araria

1. MD. NOUSHAD @ MD.NAUSHAD Son of Akhtar Resident of Ghurna Bazar, Lahri Tola Ward No. 9, P.S. Ghurna, District-Araria.
2. SATTAR Son of Allauddin Resident of Village-Ratansar, P.S.-Chatapur, District-Supaul.
3. GULAB SAH @ GULASA @ GULFASA KHATOON W/o MD.Noushad @ MD.NAUSHAD Resident of Ghurna Bazar, Lahri Tola Ward No. 9, P.S. Ghurna, District-Araria.
4. NOOR JAHAN W/o Sattar Resident of Village-Ratansar, P.S. Chatapur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-10-2023 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Narpatganj PS case no. 342 of 2022, disclosing offences punishable under Section 304(B)/34 of the Indian Penal Code.
3. As per the First Information Report, the informant's sister namely Bibi Rahiman was married with co-accused Md. Imtiyaz in the year 2016 and out of wedlock, two children were born. It has further been alleged that



co-accused persons including the petitioners had committed murder of the informant's sister due to non-fulfilment of the demand for dowry. The informant's sister has been killed by strangulation at her in-laws' house and when the informant arrived there, he found his sister dead.

4. Learned Counsel for the petitioners Mr. Abdul Mannan Khan submits that petitioners have been falsely implicated in this case on the basis of general and omnibus allegation. It is further submitted that petitioner no. 1 is elder brother of the husband of the deceased, petitioner no. 2 is the brother-in-law (*nandosi*) of the deceased, petitioner no. 3 is the sister-in-law (*gotni*) of the deceased and petitioner no. 4 is the sister of the husband of deceased. It is next submitted that the allegation of demand of dowry and killing of the informant's sister is general and omnibus in nature and no specific role has been assigned to any of the petitioners in the First Information Report.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are the brothers-in-law and sisters-in-law of the deceased, allegation against them is general and omnibus in nature and no specific role has been assigned to any of the



petitioners, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, 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 learned C.J.M., Araria in connection with Narpatganj PS case no. 342 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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