

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56159 of 2022

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

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1. Mahfooj @ Mafuj Alam S/O Late Akhtar Resident Of Village- Ghurna Bazar Laheri Tola Ward No. 09, Police Station- Ghurna (Narpatganj), District- Araria.
 2. Noor Jahan W/O Mahfooj @ Mafuj Alam Resident Of Village- Ghurna Bazar Laheri Tola Ward No. 09, Police Station- Ghurna (Narpatganj), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-02-2023 Let the defect(s), if any, be removed within two weeks from today.

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

The petitioners seek regular bail in connection with Narpatganj P.S. Case No. 342 of 2022 lodged under Sections 304B/34 of the I.P.C.

As per the prosecution case, it is a case of dowry death.

Learned counsel for the petitioners submits that petitioners are not the husband rather they are the *bhaisur* and *gotni* of the deceased. He submits that husband of the deceased has not yet surrendered and he is trying to persuade his appearance in different modes. He further submits that

petitioners are in custody since 28.07.2022 and charge sheet has already been filed in this case.

Upon specific query that whether charge has been framed or not, counsel submits that charge has not framed in this case but it is likely to be framed very soon.

Learned counsel for the State opposes the prayer for bail and submits that charge sheet has already been filed in this case but charge has not been framed. He also submits that if the petitioners shall be released on bail without framing of charge they shall create every hurdle in the proceedings.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners.

Liberty is hereby granted to the petitioners that they may renew their prayer after framing of charge as well as after surrender of the husband.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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