

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66751 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- JOGBANI District- Araria

1. Nuzrat D/o Tazmul @ Md. Tasmul R/o- Amauna, Ward no. 07, P.S.- Jogbani, Distt- Araria.
2. Rabbo W/o Tazmul @ Md. Tasmul D/o Rasid R/o- Amauna, Ward no. 07, P.S.- Jogbani, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioners and learned counsel for the State.

In this present case, the petitioners are apprehending their arrest in connection with Jogbani P.S. Case No. 144 of 2020, registered for the offences under Sections 304(B), 201 and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant was married with co-accused Md. Hustam five years prior to lodging of FIR on 13.06.2020. The petitioners are sister-in-law and mother-in-law of the deceased and allegation against them is that they along with other co-accused persons caused dowry death of the daughter of the informant and they buried the dead-body without giving any information to anyone in order to conceal the



evidence.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is apparent from the FIR that it was a love marriage and the petitioners never interfered with the life of the deceased and her husband. The petitioners reside separately from the husband of the deceased and they have no concern with the deceased. The husband of the deceased is in custody and charge-sheet has already been submitted against him, whereas investigation is continuing against the petitioners and others. Learned counsel further submits that the informant has filed an application before the learned trial court stating that he has erroneously registered the FIR on saying of co-villagers.

Learned APP opposes the submissions made on behalf of the petitioners. Learned APP further submits that the informant was given inducement of payment of Rs. 2,50,000/- for not filing the case and the accused persons and others also threatened the informant with false implication.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that thrust of allegation is against the husband of the deceased and other co-accused persons and also considering that the petitioners are ladies, let the petitioners above named, in the event of their



arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty five thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Araria, District-Araria/concerned court in connection with Jogbani P.S. Case No. 144 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

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(Arun Kumar Jha, J)

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