

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73594 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- RAXAUL District- East Champaran

1. MUKHTAR MIYA @ MUKHTAR HUSSAIN S/O OLI MIYAN @ ALI MAHAMMAD MIYA Resident of Village- Hardiya, P.S.- Raxaul, District- East Champaran.
2. SOUKAT MIYA S/O MUKHTAR MIYA @ MUKHTAR HUSSAIN Resident of Village- Hardiya, P.S.- Raxaul, District- East Champaran.
3. NURJAHAN KHATOON W/O MUKHTAR MIYA @ MUKHTAR HUSSAIN Resident of Village- Hardiya, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302, 304B/34 of the Indian Penal Code.

It is a case of dowry death.

Petitioner No.1 is elder brother-in-law (Bhaisur) of the deceased, petitioner No.2 is son of petitioner No.1 and petitioner No.3 is wife of petitioner No.2.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. It is further submitted that thrust of accusation is against the husband of the deceased, who is in custody and so far these petitioners are concerned, allegation is general and omnibus. Petitioners are separate from the deceased in mess and property. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Raxaul, Motihari in connection with Raxaul PS case No. 77/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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