

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75166 of 2022**

Arising Out of PS. Case No.-271 Year-2022 Thana- SULTANGANJ District- Patna

1. Khushnuda Khatoon @ Khusnuda Khatoon W/o Md. Akbar Resident of village- Raza Colony, Khajurbanna, P.S.- Masaurhi, District- Patna- 800006
2. Md. Tanweer Alam S/o Md. Akbar, Resident of village- Chand Colony, Gaighat, P.S.- Alamganj, District- Patna- 800007

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shadab Akhter, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      10-04-2023                      Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Sultanganj P.S. Case No. 271 of 2022 dated 02.08.2022 registered for the offences punishable under Sections 341, 323, 304(B), 34 of the Indian Penal Code.

As per the prosecution, the informant's daughter was strangled to death by these petitioners and other FIR named accused persons. Further it is alleged that on earlier occasions also the deceased was tortured and assaulted by her-in-laws and husband.

The main submissions advanced by the learned



counsel for the petitioners are that the petitioner no.1 is an old lady suffering from various health issues and she is mother-in-law of the deceased, petitioner no. 2 is brother-in-law of the deceased and in fact the deceased committed suicide on account of her child being a patient of heart disease which caused frustration to the deceased and as per postmortem report only ligature mark was found on the neck of the deceased and no any other external injury on her body was found. Further submission is that similarly situated co-accused namely Md. Imtiyaz has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. Case No. 73274 of 2022 and against the petitioners the investigation has been completed and the husband of the deceased is in jail.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the privilege of bail having been granted to a co-accused person mentioned above and also the facts that on the body of the deceased no injury mark except ligature mark on her neck was found and the investigation has been completed against the petitioners and in the FIR there is no allegation that the accused persons including the petitioners subjected the victim to torture



for the dowry demand, in the opinion of this court, the petitioners deserve to a lenient approach of this court. Accordingly, **let both the petitioners be released on bail after framing of charge, if the same has not been framed** on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sultanganj P.S. Case No. 271 of 2022 .

**(Shailendra Singh, J)**

Rajiv/-

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