

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5899 of 2024

Arising Out of PS. Case No.-450 Year-2023 Thana- GHORASAHAN District- East
Champaran

-
1. Janatun Khatoon Wife Of Late Juman Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran
 2. Begam Khatoon Daughter Of Late Juman Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran
 3. Guddu @ Guddu Alam Son Of Late Juman Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran
 4. Tarik @ Tarik Alam Son Of Late Juman Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran
 5. Hadish Mian Son Of Newaji Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran
 6. Shahid Mian Son Of Newaji Mian Village- Vaidnathpur Ps- Jharokhar District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with G.R. Case No. 872 of 2023 arising out of Ghorasahan (Jharokhar) P.S. Case No. 450 of 2023 for the offence registered under sections 304(B), 302, 34 of the Indian Penal Code lodged on 28.07.2023 by the informant, Raju Mian.

3. As per the prosecution story, the informant alleged that Barik @ Vidhayak had married his daughter in the year 2022 but was always tortured for dowry and on 25.07.2023, information came about her killing. Accordingly, the F.I.R.



4. Learned counsel for the petitioners submits that though the incident is unfortunate, under depression committed suicide, the husband taking responsibility is in custody since 06.01.2024 (Paragraph-2 of the supplementary affidavit filed on 12.01.2024). Further, they are mother-in-law, married sister-in-law, the brothers-in-law and maternal father-in-law.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Taking into account, the submissions as also the fact that the husband is in custody, they are family members/extended family members, this Court is inclined to extend them the privilege of anticipatory bail, however, if it is found that contrary to the statement made in supplementary affidavit, if the husband is not in custody, the order shall become infructuous.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 3rd, Sikrahana at Dhaka, Motihari, East Champaran in connection with G.R. Case No. 872 of 2023 arising out of Ghorasahan



(Jharokhar) P.S. Case No. 450 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners will appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners will appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners will in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners will desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

guddu/-

U			
---	--	--	--

