

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21500 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- KATRA District- Muzaffarpur

1. Mohhabbe Rasul @ Mohibabe Rasul @ Md. Mohibbe Rasul S/o- Md. Mokim Village- Sahpur Ps- Jajuar OP Dist- Muzaffarpur
2. Sagira Khatun wife of Mohhabbe Rasul @ Mohibabe Rasul @ Md. Mohibbe Rasul Village- Sahpur Ps- Jajuar OP Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kaatra P.S. Case No. 301/2023 registered under Sections 304(B)/34 of the Indian Penal Code lodged on 02.11.2023 by the informant, Saiful Nisha.

3. As per the prosecution story, the complainant alleged that her daughter was solemnized to Md. Imran but was always tortured for dowry. Subsequently, information came about her killing. Accordingly, the FIR.

4. It is the case of the petitioner that they are father-in-law and mother-in-law living separately from Md. Imran and in



a case of suicide, all the family members have been implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that they are family members of Md. Imran.

6. Taking into account the fact that the main allegation is against Md. Imran, these two petitioners are father-in-law and mother-in-law, living separately and do not have criminal antecedent, this Court is inclined to grant them privilege of anticipatory bail.

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 Court No. 7, J.M.F.C. Muzuffarpur, East in connection with Katra P.S. Case No. 301 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 their *bona fide*;

(ii) the petitioners shall 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 their bail bond by the Trial court itself;

(iii) the petitioners shall 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 their bail bonds;

(v) the petitioners shall 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)

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