

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42743 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- JAMOBABAZAR District- Siwan

1. Ambeya Khatoon Wife Of Dhora Miyan @ Dhoda Miyan Village- Parsurampur, P.S. -Manjhagarh, District -Gopalganj
 2. Shahnaz Khatoon @ Sahanaja Khatoon @ Babi Khatoon Wife Of Mumtaz Hawari
 3. Yasmin Khatoon @ Asmina Khatoon @ Rubi Khatoon Wife Fof Bhagroshan Hawari @ Mumtaz Murtaza
 4. Mumtaz Hawari @ Mumtaz @ Mumtaz Miya Son Of Late Ali Miyan
All 2 to 4 are resident of Village- Rachhopali, Ps-Jamo Bazar, Dist- Siwan
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 302, 326, 120(B) of the IPC in connection with Jamo Bazar P.S. Case No.39 of 2024.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and are women and informant alleges that her daughter was married to Mustafa Hawari in the year 2003, after marriage her daughter was tortured for dowry which she used to convey, further her



husband used to threatened her that he will perform his second marriage, next alleges that on 14.02.2024 her daughter was poisoned to death by the accused persons.

4. The learned counsel submits petitioners have been falsely implicated in the instant case by the informant based on suspicion. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the marriage of the deceased with Mustafa was performed in the year 2003 and the instant FIR came to be instituted in the year 2023 i.e. after 20 years of marriage, but then in between in these 20 years neither the deceased nor the informant ever instituted any case alleging that dowry was being demanded and victim was being tortured. It is further submitted that petitioners being sister-in-law (married Nanad) Gotanies (sister-in-law) and Bhaisur of the deceased, as such they have been implicated in a mechanical manner. It is also submitted petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Siwan in connection with Jamo Bazar P.S. Case No.39 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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