

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52554 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- BARSOI District- Katihar

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1. Saidur Rahman Son of Late Budhu Mohammad R/O Vill.- Kotra, P.S.- Barsoi, Kachna O.P., Dist.- Katihar
 2. Manora Khatoon @ Chain Bano Wife of Saidur Rahman R/O Vill.- Kotra, P.S.- Barsoi, Kachna O.P., Dist.- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-11-2024 Heard Mr. Madhav Jha, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Barsoi (Kocha O.P.) P.S. Case No. 32 of 2024 registered for the offences punishable under Sections 498(A), 302, 201, 120(B), 34 of the Indian Penal Code.

3. All the F.I.R. named accused persons including the petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged has ever taken place. Petitioners are father-in-law and mother-in-law of the deceased, respectively. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. They had no concern with the internal dispute of the husband and wife and both of them have been residing separately from their son. There is no specific overt act against the petitioners. They have no criminal antecedent as mentioned in para-3 of this application. It is further submitted that the husband of the deceased is already in custody since 22.02.2024.

5. Learned APP for the State opposes the prayer for bail and submits that during the pendency of this application, Section 82 of the Cr.P.C. has been issued against the petitioners. Hence, they do not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, since Section 82 of the Cr.P.C. has been issued against the petitioners, I am not inclined to enlarge them on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, if the petitioners surrender before the learned



Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order considering the fact that there is no specific overt act against the petitioners.

(Anjani Kumar Sharan, J)

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