

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53033 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- PALANWA District- East Champaran

1. Jamarudin Ansari S/o Late Sujayat Mian R/o vill - Binwalia, P.S. - Palanwa, Distt. - East Champaran
2. Faiaz Ansari S/o Jamarudin Ansari R/o vill - Binwalia, P.S. - Palanwa, Distt. - East Champaran
3. Meraj Mian @ Meraj Mia S/o Jamarudin Ansari R/o vill - Binwalia, P.S. - Palanwa, Distt. - East Champaran
4. Noor Saba Khatoon W/o Jamarudin Ansari R/o vill - Binwalia, P.S. - Palanwa, Distt. - East Champaran
5. Sabila Khatoon W/o Amadudin Ansari R/o vill - Binwalia, P.S. - Palanwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 25-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Palanwa P.S. Case No. 193 of 2023 registered for the offences punishable under Sections 304(B), 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and others are said to have committed the murder of informant's daughter for non-fulfillment of demand of dowry.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. Learned counsel submits through supplementary affidavit that husband of the deceased has already surrendered before J.M., Ist Class, Motihari, East Champaran on 18.09.2024 and he has taken into judicial custody. Learned counsel orally submits that petitioner no. 1 is father-in-law, petitioner nos. 2 and 3 are devar, petitioner no. 4 is mother-in-law and petitioner no. 5 is cousin mother-in-law of the deceased and they have falsely been implicated in the present case as they are relatives of the deceased. He further submits that petitioners are living separately from the deceased and they have no say in the family affairs of the deceased. He further submits that there is no specific allegation attributed against the petitioners rather the allegation is general and omnibus in nature. Petitioners bear no criminal antecedent. Co-accused Mir Hussain @ Mir Hasan @ Amirul Hasan has already been granted anticipatory bail by this Court vide Cr. Misc. No. 46988 of 2024.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioners, they have no say in the family affairs of the deceased, co-accused has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 22nd Additional Sessions Judge, East Champaran, Motihari in connection with Palanwa P.S. Case No. 193 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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