

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57229 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- JAMHOR District- Aurangabad

1. Aslam Shah S/o Heyatulah Shah R/o Vill - Batwan, Barthouli tola, Ansari bigha, P.S. Jamhore, Distt. - Aurangabad (Bihar)
2. Johara Khatoon@Johra Khatoon@Jahera Khatoon W/o Aslam Shah R/o vill - Batwan, Barthouli tola, Ansari bigha, P.S. Jamhore, Distt. - Aurangabad (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Jamhore P.S. Case No. 21 of 2024, registered on 19.02.2024, for the alleged offence under Sections 304B/34 of the Indian Penal Code.

03. As per prosecution case, petitioners are parents-in-law of the deceased daughter of the informant and allegation against the petitioners and their co-accused son and daughter is that they had been demanding Rs. 1,00,000/- and a motorcycle in dowry and on non-fulfillment thereof, they killed the daughter of the informant.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The petitioners never demanded any dowry and never tortured the deceased. The deceased has committed suicide and the informant has falsely implicated the petitioners and others who have no role in her death. The postmortem report shows no external injury except a ligature of V-shaped on anterior aspect of neck and *viscera* was also preserved but opinion of cause of death has been given to be asphyxia, C.R. failure and ultimately death due to hanging. The deceased was mentally disturbed due to illness of her child as said child was suffering from paralysis and mental abnormality and was numbed below his waist.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad (Bihar) in connection with Jamhore P.S. Case No. 21 of 2024, subject to the condition laid down under Section 438(2) of the



Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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