

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59357 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

1. Tahida Khatoon @ Sahida Khatoon W/o Md. Gaffar Rain R/o vill - Baligarh, P.s. - Runnisaidpur, Distt. - Sitamarhi
2. Begam Khatoon W/o Wohab Rain R/o vill - Baligarh, P.s. - Runnisaidpur, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Runnisaidpur P.S. Case No. 37 of 2024, registered on 01.02.2024 for the offences under Sections 304B/34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the informant was married with co-accused Md. Mustak Rain who informed the informant on 30.01.2024 about death of his daughter. The allegation against the petitioners, who are the mother-in-law and the sister-in-law (gotni) of the deceased, and other co-accused persons is that of demanding Rs.5,00,000/- as



dowry and torturing and treating the daughter of the informant with cruelty and they caused dowry death of the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. It is apparent from the F.I.R. that informant was given information about death of his daughter by the husband of the deceased himself. The petitioners lived separate from the husband of the deceased and the deceased was suffering from chronic illness of bowel perforation with peritonitis which led to her death by cardiac respiratory failure. This shows the allegation against the petitioners are completely false and concocted. Learned counsel further submits that the co-accused persons have been granted bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 37954 of 2024. The petitioners are having clean antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that it is a case of dowry death and allegations are against the petitioners and other co-accused persons.

6. Having regard to the fact and circumstances and



submission made on behalf of the parties and considering the postmortem report which shows the death of the deceased due to chronic illness of sub-acute bowel perforation with peritonitis, 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi/concerned court in connection with Runnisaiddpur P.S. Case No. 37 of 2024, subject to the condition as 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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