

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84043 of 2023**

Arising Out of PS. Case No.-235 Year-2023 Thana- BARARI District- Katihar

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1. Abdul Kalam Son of Late Raju, Resident of Village- Marghiya Mansoori Tola, P.s. - Barari, District- Katihar.
  2. Rumila Khatoon, Wife of Abdul Kalam, Resident of Village- Marghiya Mansoori Tola, P.s. - Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Najeeb Ahmad

For the Opposite Party/s : Mr. Rajendra Singh

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

5      26-06-2024                      1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304B and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners being the father-in-law and mother-in-law of the deceased have been falsely implicated by the informant in a mechanical manner with general and omnibus allegation. It is next submitted that informant alleges that his daughter was married to the son of the petitioners, in the year 2022, and after marriage, the accused persons including the petitioners were



torturing the deceased for non-fulfilling the demand of dowry. Further, the deceased was carrying pregnancy of 8 months and when the informant had gone at the time of Eid to bring the deceased back to her parental home, the petitioner no.1 did not permit the deceased to leave the house until the dowry is paid, thereafter, it is alleged that on 13.07.2023 at about 11.30 P.M. the informant came to know that his daughter died, accordingly, he reached the place of occurrence, where he saw large number of villagers had gathered and there was a strangulation mark on the neck of his daughter.

4. The learned counsel submits that the husband of the deceased had separated from the petitioners long back and was living separately. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of dowry is general and omnibus in nature and the informant does not disclose that as to what was being demanded by the accused persons by way of dowry. It is further submitted that whenever any occurrence of such nature takes place, the entire family members are implicated. It is next submitted that the husband of the deceased is in custody and the petitioners will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Barari P.S. Case No.235/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners and to take all coercive steps to ensure that petitioners are behind bars.

**(Satyavrat Verma, J)**

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