

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12390 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- PURNEA SADAR District- Purnia

1. Mainul Haque S/o Late Mustafa Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
2. Najam Khatoon @ Najma Khatoon W/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
3. Md. Majibur Rahman @ Md. Mujubur Rahman S/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
4. Md. Alam S/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
5. Md. Kalam S/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
6. Md. Nijir Hussain @ Md. Najeer S/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
7. Md. Yaqub @ Md. Yaqub Ali S/o Mainul Haque Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
8. Md. Sakruddin @ Md. Sukruddin S/o Mahtab Mandal Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea
9. Md. Hafijur Rahman @ Md. Hifjur Rahman @ Mithun @ Mokim S/o Ajjur Rahman Resident of Lat Tola Chimni Bazar, P.S- Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Hussain
For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2025 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 offences punishable under Sections 304(B)/34 of the Indian Penal Code.



3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Md. Sadikul about two and half years back, after one year of marriage, Sadikul demanded Rs.50,000/-, the demand was fulfilled, thereafter his daughter became pregnant as such she was sent to her parental home and during the time of delivery Sadikul refused to give any money, further Sadikul demanded Rs. 1 lakh, on refusal, he did not take the victim back to her matrimonial home, thereafter somehow Rs.1 lakh was arranged and was given to Sadikul, further the accused persons also used to torture and assault the victim, it is next alleged that on 26.06.2024, the accused persons killed the victim by strangulating her and informed that she has committed suicide, accordingly, the informant reached the place of occurrence and found the dead body of his daughter found lying with head swell and mark of needle in the feet.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eyewitness to the occurrence. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the thrust of the allegation is against the husband of the deceased. It



is further submitted that police after investigation came to a considered conclusion that petitioners are innocent and thus submitted final form exonerating the petitioners of the allegation but then the learned Magistrate differing with the police report, took cognizance. It is further submitted that when one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for this Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegation.

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

6. 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 Purnea Sadar P.S. Case No.364/2024, subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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