

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45459 of 2025

Arising Out of PS. Case No.-220 Year-2022 Thana- JOKIHAT District- Araria

1. Masrufa @ Bibi Masrufa Daughter of Md. Taslim village- Jogindra ps- Jokihat (Mahalgaon) Dist- Araria
2. Md. Rabban son of Md. Taslim village- Jogindra ps- Jokihat (Mahalgaon) Dist- Araria
3. Bibi Praveen @ Parween Wife of Md. Taslim village- Jogindra ps- Jokihat (Mahalgaon) Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sangiv Kumar, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 323, 341, 342, 307 and 34 of the Indian Penal Code and subsequently, Section 302 of the Indian Penal Code was added.

3. As per prosecution case, it is alleged that marriage of daughter of informant was solemnized with co-accused Md. Usman as per Muslim rites and rituals. It is alleged that after marriage, all the accused persons named in the F.I.R., including these petitioners, committed torture and harassment with the



victim due to non-fulfillment of demand of dowry. It is further alleged that on 23.04.2022 at 3 o'clock in night, victim informed informant on mobile phone that co-accused Md. Usman, along with his family members, has brutally assaulted her. Thereafter, on the next day, informant took the victim to hospital where, during course of treatment, she died.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, petitioners have falsely been implicated in this case merely because Petitioner No. 1 happens to be married *Nanad* (sister-in-law), Petitioner No. 2 happens to be *Bhaisur* (brother-in-law) and Petitioner No. 3 happens to be mother-in-law of the deceased. Petitioners are victim of over implication. No specific accusation of overt act or demand of dowry is alleged against these petitioners. Petitioners are separate in mess and property and have got no concern with the affairs of the deceased and her husband. From bare perusal of the F.I.R., it is apparent that thrust of accusation is against husband of the deceased who has already been acquitted by the learned trial court. Charge-sheet has already been submitted and petitioners are in custody since 11.05.2025. Petitioners have got no criminal antecedents.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, period of custody and clean antecedent of the petitioners, the prayer for grant of bail to the petitioners is allowed.

7. Accordingly, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 220 of 2022.

(Prabhat Kumar Singh, J)

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