

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83604 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- POTHIYA District- Kishanganj

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1. Ismail S/o Idu Hussain R/o vill - Beragachh Budhara, P.S. - Pothia, Distt.- Kishanganj
 2. Mumtaj Begam W/o Ismail R/o vill - Beragachh Budhara, P.S. - Pothia, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the State : Mr. Pushpa Sinha, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 18-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(1), 80(2), 123, 61(2), 3(5) of the B.N.S., 2023.

3. The case of the prosecution is that the informant's daughter was married to co-accused Suraj and was subjected to demand of dowry and torture and upon non-fulfillment of the same, she has been done to death by her husband Suraj along with other accused persons including the petitioners.

4. Learned counsel for the petitioners submits that the petitioners herein are the father-in-law and mother-in-law of



the deceased, respectively. It is further submitted that the petitioners were staying separate from the deceased and her husband in both residence and mess and were not concerned with day to day affairs of the deceased and her husband. It is also submitted that the deceased was under a mental depression because of the reason that she was issueless and as a matter of fact, under such mental condition of depression, she has consumed poison in the absence of the petitioners' son i.e. her husband. In any view of the matter, the petitioners are the parents-in-law of the deceased and it is the husband, who is primarily responsible for the welfare of his wife. It is next submitted that the husband of the deceased has also taken recourse to legal remedies and his application for anticipatory bail is pending adjudication before this Court.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the fact that petitioners are the parents-in-law of the deceased and primary responsibility of welfare of the deceased (wife) is upon the petitioner (husband) whose application for anticipatory bail is pending adjudication before this Court, I am inclined to grant the privilege of anticipatory bail to the petitioners who have no criminal antecedent. Let the petitioners, above named, in the event of their arrest or



surrender before the Court below within four weeks, be released 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 the learned lower Court where the case is pending/successor Court in connection with Pothia P.S. Case No.160 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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