

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87892 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- AAJAM NAGAR District- Katihar

1. Jainab Khatoon D/o- Jamir Alam Resident of village- Bairiya Sikatiya PS- Azamnagar District- Katihar
2. Janera Khatoon W/o- Jamir Alam Resident of village- Bairiya Sikatiya PS- Azamnagar District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2025 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 under Sections 85, 80, 123, 3(5) of the Bhartiya Nagrik Suraksha Sanhita, 2023 and Section 3 / 4 of the Dowry Prohibition Act.

3. As per prosecution case, the daughter of the informant was married with co-accused Safed Alam 3 years ago and it is alleged that all the accused persons including petitioner subjected her to cruelty and torture due to non-fulfillment of demand of dowry and ultimately, administered her poison, due to which, she died.



4. Learned counsel for the petitioners submits that petitioners are victim of over-implication. Petitioner no. 1 is unmarried sister-in-law and petitioner no. 2 is mother-in-law of the deceased. From perusal of F.I.R., it is apparent that prior to this case, daughter of informant, who was married with co-accused Safed Alam 3 years ago and out of the wedlock, one female child was also born and deceased was also carrying pregnancy of six months, had also lodged an F.I.R., vide Azamnagar P.S. Case No. 206 of 2024 under Section 498-A of Indian Penal Code and Section 3 / 4 of Dowry Prohibition Act (Annexure P/2), with the allegation of torture for dowry only against her husband i.e. co-accused Safed Alam, not against these petitioners. Petitioners are separate in mess and property and have got no concern with the affairs of couple. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate,
Katihar in connection with Azamnagar P.S. Case No. 320 of
2024, subject to condition as laid down under Section 482 of the
Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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