

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29399 of 2015

Arising Out of PS.Case No. -623 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Firoz Ansari @ Samir Ansari @ Feroz Ansari S/o Samsudin Ansari
2. Samsudin Ansari @ Shamsuddin Ansari S/o Aadam Miyan
3. Sarful nesa @ Faiful Nesa @ Sharful Nisha W/o Samsudin Ansari
4. Sahbana nesa @ Sabana Khatoon @ Sahbana Nisha D/o Samsudin
Ansari All Resident of Village Damakiyan, P.S. Bhorey, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Aajbun Nesa @ Ajbun Khatoon W/o Firoz Ansari Resident of Village
Damakiyan, P.S. Bhorey, District Gopalganj, Presently residing as D/o
Aasin Ansari, Resident of Village Hankarpur, P.S. Vajaipur, District
Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5
For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

2 30-07-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Complaint Case No. 623 of 2014 registered for the offence under
Sections-498A and 406 of the Indian Penal Code and Sections-3/4
of Dowry Prohibition Act.

Petitioner No. 1 is husband, petitioner No. 2 is
father-in-law, petitioner No. 3 is mother-in-law and petitioner No.
4 is sister-in-law of the complainant and it appears that marriage

of the complainant was solemnized with petitioner No. 1 in the year, 2013 and after that, in the year, 2014, she filed the present complaint case, making bald allegation against petitioners particularly, against petitioner No. 2.

The contention on behalf of the petitioners is that the complainant was not ready to lead her matrimonial life in the house of petitioners rather she pressurized petitioner No. 1 to part his ways from rest petitioners and to settle at natal place of the complainant and when the petitioner No. 1 refused to buckle upon the presure of the complainant, the complainant lodged this false case. It is further contended that moreover, much prior to the filing of the present complaint case, petitioner No. 1 filed not only an informatory petition but also a complaint against the complainant as well as her natal people.

From perusal of the impugned order of learned Sessions Judge, I find that the complainant refused to go to the house of the petitioners on pretext that her father-in-law wanted to establish physical relation with her.

No doubt, the aforesaid allegation has been levelled in the complaint petition but admittedly, the learned court below has taken cognizance only for the offence punishable under Sections-498A & 406 of the Indian Penal Code as well as

Sections-3/4 of Dowry Prohibition Act.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 623 of 2014 to the satisfaction of learned Sub Divisional Judicial Magistrate, Gopalganj.

(Hemant Kumar Srivastava, J)

A.K.V./-

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