

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26659 of 2015**

Arising Out of PS.Case No. -173 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

- =====
1. Md. Hamid @ Hamid Nadaf son of Zalil @ Fudo
  2. Md. Jalil @ Fudo alias Zalil Nadaf son of Md. Ismile
  3. Md. Zamir son of Md. Zalil @ Fudo
  4. Jehra Khatoon wife of Md. Zalil @ Fudo, All resident of village- Lilhaul Tola Gujra, Police Station- Singhia, District- Samastipur.
  5. Md. Majloom @ Laila son of Bhikhar
  6. Md. Harun son of Laila Resident of village- Lilhaul, Police Station- Singhia, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. M.K.Nirala(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-07-2015                      Heard learned counsel for the petitioners and  
  
learned A.P.P. for the State.

It is submitted by learned counsel for the petitioners that petitioner Nos. 1 and 2 have been arrested and their application for anticipatory bail has become infructuous and it is accordingly, dismissed as infructuous.

So far as petitioner Nos. 3 to 6 are concerned, they are apprehending their arrest in a case instituted under Sections 120 (B) and 304 (B)/34 of the Indian Penal Code.

The prosecution story, in brief, is that the complainant filed a complaint case alleging that his daughter was

married to the petitioner about four years ago. On 30.10.2012 it came to know that due to non-fulfilment of dowry she was assaulted. Thereafter the informant learnt also from the neighbours that the accused persons had assaulted the daughter of the complainant and they have been absconding.

On behalf of the petitioners, it is submitted that petitioner No.3 is the Dewar, Petitioner No.4 is the mother-in-law, petitioner No.5 is the maternal father-in-law and petitioner No.6 is the maternal brother-in-law of the complainant's daughter. It is further submitted that the petitioners have been falsely implicated in the present case. The said fact is evident from the perusal of Annexure-3, where the informant has filed an affidavit before the Court below stating therein that due to mistake of fact he had instituted the present case when his daughter had eloped with another person and she is residing with him.

On behalf of the State, it is submitted that the petitioners are named in the first information report.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender in the court below within a period of four weeks from today, be released 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 S.D.J.M., Rosera in connection with Singhia P.S.  
Case No. 173 of 2014, subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

(Sudhir Singh, J)

V.P.Sinha/-

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