

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34280 of 2015

Arising Out of PS.Case No. -410 Year- 1996 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

- =====
1. Julekha Khatoon wife of Md. Anwar .
 2. Md. Usman son of Md. Hanif
 3. Sarjama Khatoon@Sarjfa Khatoon.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tarida Khatoon Daughter of Md. Manjur Hasan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra
For the Opposite Party/s : Mr. Asha Devi (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner nos.1 and 2 being the sister and elder brother of the husband of the complainant and petitioner no.3 being the wife of elder brother of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323, 379 and 494 of the Indian Penal Code.

Basic accusation is of torture for non-fulfillment of the dowry demand and performing second marriage by the husband of the complainant.

It is submitted by learned counsel for the petitioner that

the petitioners claim to be separate from the husband of the complainant. It is alleged that petitioner no.3 is the second wife of the husband of the complainant but she is the wife of elder brother of the husband of the complainant.

This Court is not inclined to interfere since the complaint was filed in the year 1996.

However, considering the thrust of accusation against the husband of the complainant, it is a case for consideration of regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Complaint Case No. 410 of 1996 pending in the court of learned CJM, Nawada.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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