

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57095 of 2015

Complaint Case No.. -3731 Year- 2013 Thana -PURNIA COMPLAINT CASE District- PURNIA

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1. Md. Jawed Alam @ Md. Zawed Alam @ Md. Jawed, son of Md. Kalim
 2. Md. Kalim, son of late Siraj
 3. Bibi Tarannum, wife of Md. Jawed Alam
 4. Uttam Lal Biswas @ Uttam Lal, son of Hublal

.... Petitioner/s

Versus

1. State of Bihar
2. Rasida Khatoon @ Rasida Begum, wife of Md. Jawed, daughter of Md. Islam

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners being husband, parents and second wife 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 323, 354, 405/34 of the Indian Penal Code.

The prosecution case is that marriage of the complainant was performed with petitioner no.1. Earlier the



complainant filed Kasba P.S. Case No.107/2011 alleging therein torture. In pursuance to this court's order dated 28.10.2013, passed in Criminal Miscellaneous No.2863/2013, the complainant was residing with the petitioner no.1 at Patna in the house of petitioner no.4 (Uttam Lal). It is alleged that petitioner no.4 provided her some intoxicated food, as a result, the complainant got unconscious. When she regain senses, she found herself half naked and petitioner no.4 made an attempt to ravish her on the point of knife. From where the complainant went to the house of one Shoyeb and informed her father when her father came and brought her to his house.

It is submitted by learned counsel for the petitioners that in fact the complainant was not ready to resume the conjugal life with petitioner no.1, hence, maliciously, the present case has been lodged and for the occurrence of 29.10.2013, the complaint was filed on 19.11.2013.

Considering the delayed filing of the complaint without any explanation, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned

Judicial Magistrate, 1st Class, Purnea in connection with
Complaint Case No.3731/2013, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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