

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2650 of 2015

Arising Out of PS.Case No. -968 Year- 2010 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Sk. Islam Khan @ Islam Khan son of Late Bhajjo Khan
 2. Bibi Asiya @ Asiya wife of Sk. Islam Khan
 3. Sk. Jummo Khan @ Md. Jumman
 4. Sk. Firdosh @ Firdosh Khan
 5. Sk. Karu @ Karu Petitioner nos. 3 to 5 are son of Sk. Islam Khan
 6. Bibi Rubi wife of Matru Khan

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Samsa @ Rahana wife of Matru Khan

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 30-04-2015 It is submitted by learned counsel for the petitioners
that petitioner no.4 has been arrested.

Accordingly, this application with respect to
petitioner no.4, namely Sk. Firdosh @ Firdosh Khan is
accordingly disposed of as having become infructuous.

Heard learned counsels for the petitioners and the
State.

The petitioner nos. 1, 2, 3, 5 and 6 being father,
brothers and second wife of the husband of the informant are
apprehending arrest in a case registered for the offences
punishable under Section 498A of the Indian Penal Code in
connection with Complaint Case No. 968 of 2010, pending

before the learned Sub-Divisional Judicial Magistrate, Bhagalpur.

The basic accusation is of torture.

From the impugned order, it appears that the petitioners filed the application before the learned court below by suppressing the fact about disposal of the earlier application and on that ground the learned Sessions Judge not considered the application on merit.

Considering the aforesaid fact, this Court is not inclined to grant anticipatory bail to the petitioners.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks keeping in view of the nature of accusation in connection with Complaint Case No.968 of 2010, pending before the learned Sub-Divisional Judicial Magistrate, Bhagalpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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