

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26987 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA
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1. Md. Sajjad
2. Md. Rayyan Both Sons of Md. Mustaque
3. Md. Mustaque Son of Qamaruddin
4. Bibi Nazrana Khatoon wife of Md. Mustaque All resident of village -
Sitanabad, Panch Bighi, Ward No. 6, Police Station - Simri Bakhtiyarpur,
District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Tufail Son of Late Md. Owais Resident of village - Sitanabad,
Police Station - Simri Bakhtiyarpur, District - Saharsa

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

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 323, 504, 506, 498(A), 365/34 of the Indian Penal Code and 3 / 4 of D.P.Act.

The allegation against the petitioners is of torturing the daughter of the informant for non- fulfillment of additional demand of dowry. It is also alleged that on 09.04.2015 accused persons disappeared his daughter.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further submitted that the wife of the petitioner no.1 deserted him and subsequently married to other person. In respect to that Complaint Case No. 3791 of 2015 has also been filed by the petitioners side, which is Annexure 3 to the supplementary affidavit. The said

complaint case is pending in the Court of learned Chief Judicial Magistrate, Saharsa.

On behalf of the State, it has been submitted that petitioner no.1 is the husband of the daughter of the informant and rests are father-in-law, mother-in-law and Devar of the daughter of the informant. It is further submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released, till submission of the charge sheet, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Bakhtiyarpur P.S. case No. 135 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

It is further directed that the petitioners shall bring to the notice of the Investigating Officer and the Supervising Officer in respect to Annexure 3 to the supplementary affidavit, which is Complaint Case No. 3791 of 2015, dated 22.09.2015.

(Sudhir Singh, J)

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