

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15725 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -COMPLAINT CASE District- SHEOHAR

1. Md. Islam Rain S/o Late Phakira Miya
2. Md. Mostaki Rain S/o Late Phakira Miya
3. Md. Jubair S/o Md. Islam Rain
4. Nanhaki Khatoon W/o Mustakim Rain
All resident of Village- Mahdeba, P.s- Tariyani, District- shibhar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Madina Khatoon@Munni Khatoon D/o Md. Molim Rain, resident of
Village- Hirauta, P.s -Tariyani, District- Shibhar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015 Heard learned counsel for the petitioners and the State.

The petitioners being the father, uncle, aunt and brother of the husband of the complainant are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is alleged that the informant was married to Md. Islam about 12 years ago. He went traceless one and

half years, thereafter the petitioners started torture.

It is submitted by the learned counsel for the petitioners that the petitioners are ready to allow the complainant to enjoy her share of property in the matrimonial house.

Considering the present stand of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Shibhar in connection with Complaint Case No. C-1/52 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The bail bonds of the petitioners shall be accepted on filing the affidavit by each petitioner that they shall allow the complainant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted to the concerned local Police Station. The non-compliance of undertaking given in the affidavit will give liberty to the learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

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