

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53715 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Hushne Ara Khatoon @ Hushne Ara Wife of Shahid Ali Ansari resident of Marwari Mohalla, P.S. Gopalganj, District - Gopalganj
 2. Noor Jahan @ Noor Jahan Khatoon Wife of Mushtaque Ansari
 3. Maimun Nisha Wife of Abdul Hameed Ansari Both resident of village - Jamal Hata, P.S. Hussainganj, District - Siwan
 4. Janara Khatoon @ Jahan Aara Wife of Late Wakil Ahmad Resident of Siswan Dhala, P.S. Siwan (Town), District - Siwan
 5. Imamuddin @ Imamuddin Ansari Son of Late Abdul Hameed Ansari resident of village - Jamal Hata, P.S. Hussainganj, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Sadaf Afrin Wife of Shamsad Ali, Daughter of Late Mohammadeen Ansari resident of village - Jamal Hata, P.S. Hussainganj, District - Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan
For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2015 Heard learned counsels for the petitioner and the State.

The petitioners being the sisters, mother and elder brother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 494 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry and performing second marriage by the husband of the informant.

It is submitted by learned counsel for the petitioners that though, the accusation of making assault to the informant is against 13 persons but she received only three injuries which are marginal size simple in nature. For the occurrence of assault dated 08.07.2015, the FIR was lodged on 15.07.2015. Moreover, the thrust of accusation is against the husband of the informant.

Considering the aforesaid facts, 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 C.J.M., Siwan in connection with Hussainganj P.S. Case No. 171 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing separate affidavit before the learned court below that they will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted to the concerned I.O. by the learned court below.

(Dinesh Kumar Singh, J)

Amrendra/-

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