

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24710 of 2016

Arising Out of PS.Case No. -1074 Year- 2015 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

- =====
1. Md. Navi Hassan@ Nabi Hassan son of late Md. Muslim
 2. Raushan Khatoon wife of Navi Hassan @ Md. Navi Hassan.
- Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.
For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-06-2016 Heard learned counsels for the petitioner and the State.

The petitioners being the parents 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 498A and 323 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general and thrust of accusation is against the husband of the complainant.

It appears that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner in view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in 2015

(3) PLJR, 806 (Cr. Misc. No. 51075 of 2014) since only the summons were issued.

It is submitted by learned counsel for the petitioner that now non-bailable warrant of arrest has been issued, statement to that effect has been made in paragraph 12 of the petition which reads as follows:-

“That in this case non-bailable warrant also has been issued against petitioners.”

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 J.M., 1st Class, Madhubani in connection with C.R. Case No. 1074 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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