

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13285 of 2016

Arising Out of PS.Case No. -801 Year- 2015 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

- =====
1. Md. Islam son of Md. Muslim
 2. Md. Muslim son of Khurshid Marhum
 3. Asgari Khatoon wife of Md. Muslim
 4. Kaushar Khatoon wife of Md. Islam
- All resident of Village-Khara P.S.-Madhubani, District-Madhubani
..... Petitioner/s
- Versus
1. The State of Bihar
 2. Kudaratan Nisha, wife of Md. Mobin, resident of Khara P.S.-
Madhubani, District-Madhubani
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Abhay Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2016 Petitioners being parents, brother and brother's wife of the husband of the complainant are apprehending their arrest in a complaint case wherein processes were 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.

It is submitted by learned counsel for the petitioners that petitioners admit the marriage of the complainant with Md. Mobin. The accusation is omnibus and general against the petitioners and the thrust of accusation is against the husband of the complainant. It is further submitted that learned Sessions Judge disposed of the anticipatory bail

application of the petitioners since the summons were issued but now non-bailable warrant has been issued. A statement to that effect has been made in para 11 of the petition which reads as follows:-

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

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Judicial Magistrate, 1st Class, Madhubani in connection with Complaint Case No. 810 of 2015, C.R. No. 801 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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