

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23945 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

- =====
1. Md. Sahim Khan son of Late Halil Khan
 2. Soni Khatoon wife of Md. Javed
 3. Sahjadi Khatoon wife of Sahim Khan All Resident of Village- Ahiyapur
Muhalla- Tarchha, P.S.+ P.O. and District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nazriphat Daughter of Md. Islam Wife of Md. Wassimuddin Resident of
Muhalla Suleman Nagar, P.S. and District Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-05-2016 Heard learned counsels for the petitioner and the State.

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

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the accusation against the petitioners is omnibus and general and thrust of accusation is against the husband of the complainant who has been granted provisional anticipatory bail by this Court vide

Cr. Misc. No. 46262 of 2015 on his readiness to keep the complainant as wife with full dignity and honour.

The impugned order reflects that the learned court below in compliance to order dated 30.09.2015 passed in Cr. Misc. No. 46262 of 2015 did not issue notice to the complainant. It is expected from the learned court below to issue notice to the complainant and make effort to reconcile the issue.

Considering the thrust of accusation against the husband of the complainant, 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 JM, 1st Class, Nawada in connection with Complaint Case No. 69 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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