

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44402 of 2014

Arising Out of PS.Case No. -33 Year- 2012 Thana -MAHILA P.S. District- MADHUBANI

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1. Sarfaraj Mansuri @ Md. Sarfaraj Son of Alijan Mansuri
2. Md Maharram Mansuri @ Muhar Ali Son of Alijan Mansuri Both R/o
Vilage Bhaluahi Tole, P.S. Madhop, District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Rai 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the informant and petitioner no.2 being the brother of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 498A, 323, 504, 379 and 376/511 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand. It alleged against petitioner no.2 that he made attempt to ravish the informant.

It is submitted by the learned counsel for the petitioners that petitioner no.1 admits his marriage with the informant and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in para 6 of the petition which reads

as follows:-

“That.....the petitioner Md. Sarfaraj Mansuri is always ready to keep and maintain the informant.”

It is further submitted that petitioner no.2 has been roped in the present case since he happens to be the brother of petitioner no.1.

Since, the FIR was registered in the year 2012 and thereafter the anticipatory bail application was preferred in the year 2014 before this Court when the application stood dismissed vide order dated 26.03.2015 passed by a co-ordinate Bench of this Court due to non-appearance of the counsel for the petitioner, this Court is not inclined to grant anticipatory bail to the petitioners.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Mahila P.S. Case No. 33 of 2012 pending in the court of learned ACJM, Jhanjharpur, Madhubani.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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