

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33455 of 2016

Arising Out of PS.Case No. -1232 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Rustam Mian son of Late Alizan Mian.
 2. Zamila Khatoon wife of Rustam Mian.

Both are resident of Village- Mahanaganni, Police Station- Majhauria,
District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahina Khatoon wife of Afroz Ansari and daughter of Akhtar Ali resident of Village- Mahanaganni, Police Station- Majhauria, District- West Champaran, Presently residing at Mohalla- Agarwa, Police Station- Motihari Town, District- East Champaran.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate
For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-08-2016 Heard learned counsel for the petitioners and the State.

The petitioners being the parents of the husband of the complainant are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 504, 498A of the Indian Penal Code and

3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

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

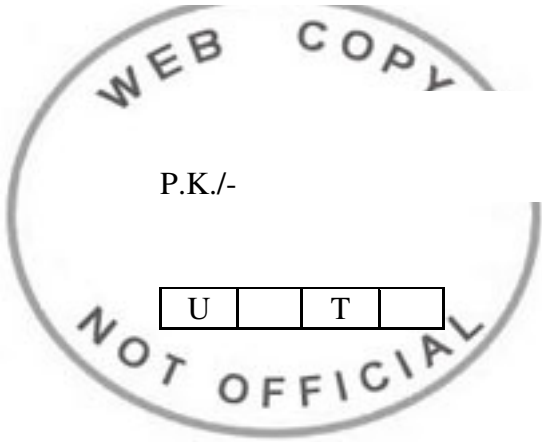
It appears that the learned Additional District & Sessions Judge-XI has disposed of the anticipatory bail application of the petitioners since only the summons was issued. Learned counsel for the petitioners has not controverted this fact that only summons have been issued.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioners in view of the ratio laid down in the case of *Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another* reported in *PLJR 2015(3) 806*, if the petitioners surrender within a period of six weeks in connection with Complaint Case No. 1232 of 2015, pending before the learned Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran.

With the above observation, this application is, accordingly, disposed off.

It is expected from the learned court below to dispose of the regular bail application of the

petitioners preferably on the same day.



P.K./-

(Dinesh Kumar Singh, J)