

Arising out of P.S. Case No. - 536 Year - 2012 Thana - AURANGABAD COMPLAINT CASE
District - AURANGABAD

.... Petitioners

Versus

1. The State of Bihar
2. Fatma Khatoon, Wife of Md. Tufail, D/O Md. Ali Imam, Resident of Village – Fita Bigha, P.S. Rafiganj, District Aurangabad

.... Opposite Parties

Appearance :

For the Petitioners : Mr. Satya Veer, Advocate
For the Opposite Parties : Mr. Sri Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsels for the petitioners and
the State.

The petitioners being the parents, brothers, sisters, agnates and co-villager of the husband of the complainant are apprehending their arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code and 3/4 Dowry Prohibition Act.

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

Learned counsel for the petitioners submits that the marriage between the complainant and Md. Tufail in the year 2000 and birth of two daughters and three sons are admitted. The accusation of demand of dowry after twelve years of the marriage appears to be absolutely unreasonable. The petitioners claim to be separate from the husband of the complainant. The thrust of accusation is against the husband of the complainant. Earlier also the complainant filed Chandauti P.S. Case No. 187 of 2012 against the petitioners and others.

Considering the fact that the complaint case was filed in the year 2012 and the impugned order reflects that after issuance of N.B.W. and processes under Section 82 of the Cr.P.C. the anticipatory bail application was preferred before the learned Sessions Judge, let the learned court below consider the prayer for regular bail of the petitioners, if they surrender before the learned court below within a period of six weeks, keeping in view of the fact that the thrust of accusation is against the husband of the complainant, before the learned Sub-divisional Judicial Magistrate, Aurangabad in connection with Complaint Case No. 536 of 2012.

Accordingly, this application is disposed of
with the above observation and direction.

(Dinesh Kumar Singh, J.)

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