

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57430 of 2015

Arising Out of PS.Case No. -144 Year- 2013 Thana -DHURAIYA District- BANKA

- =====
1. Munni Khatoon wife of Md. Latif @ Sk. Latif
 2. Md. Khustar Alam @ Khustar son of Md. Latif
- Both resident of village- Kurma, Police Station- Dhoraiya, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hoda, Advocate

For the Opposite Party/s : Mr. Iftekhhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Dhoraiya P.S. Case No.144 of 2013 registered under Sections 304B and 323/34 of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

It has been contended that on completion of investigation, the police found the allegations made in the FIR to be false. The victim was subsequently recovered and her statement was also recorded under Section 164 of the Code of Criminal Procedure. However, differing with the police report, the learned Magistrate has taken cognizance for the offence punishable under

section 498A read with 34 of the Indian Penal Code only.

Regard being had to the facts and circumstances of the case, in the event of arrest/surrender in the court below within six weeks from today, the above named petitioners are directed to be released on 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 Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No.144 of 2013 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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