

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5753 of 2016

Arising Out of PS.Case No. -311 Year- 2015 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Md. Saddam Hussain @ Saddam Ali @ Saddam
 2. Md. Bablu @ Md. Bablu Ali.
 3. Md. Juned @ Md. Juned Ali @ Juned Ali.
 4. Md. Abdul Subhan @ Subhan Ali @ Abdul Subhan.
 5. Isha Khatoon
 6. Lakho Khatoon
 7. Khushboo Khatoon.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner nos. 2 to 7 being the brothers, parents and sisters of petitioner no.1 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 petitioners that petitioner no.1 admits his marriage with the complainant and is ready to keep her with full dignity and honour, statement to that

effect has been made in para 8 of the petition which reads as follows:-

“That it is humbly submitted that the petitioner no.1 has never refused discharging his duties and is ready to keep the complainant with full honour and dignity.

It is further submitted that similar was the stand of the petitioner no.1 before the learned court below but the complainant refused to live with petitioner no.1 at any cost, the same fact also got reflected from para 6 of the impugned order which reads as follows:-

“During course of argument, the complainant herself appeared and on query by the court she has flatly refused to live with her husband at any cost.”

Considering the aforesaid facts, 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 C.J.M., Saharsa in connection with Complaint Case No. 311C 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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