

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10821 of 2016

Arising Out of PS.Case No. -148 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Nafisa Khatoon wife of Late Taukir Khan
 2. Musrat Khatoon, daughter of late Taukir Khan
 3. Asaraf Khatoon, daughter of Late Taukir Khan, wife of Nayeem Khan, all resident of Village-Turkbigha, P.S.-Kachhawa, District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Nasima Khatoon, wife of Tanvir Akhtar, daughter of Azim Khan, resident of Village-Turkbigha, P.S.-Kachhawa(Nasariganj), District-Rohtas, at present, Takiya Ward No. 2, P.S.-Sasaram Model, District-Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashray Roy

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2016

Petitioners are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The prosecution case is that the complainant claims to have married with Tanvir Akhtar in the year 2003 and thereafter gave birth to two children but subsequently demand of motorcycle and colour T.V was made and the complainant was driven out of the matrimonial house on 09.02.2013.

It is submitted by learned counsel for the petitioners that petitioners are mother and sisters of Tanvir Akhtar. The petitioners deny the factum of marriage between

the complainant and Tanvir Akhtar and Tanvir Akhtar is now dead. It is further submitted that complainant filed Bokaro(Mahila) P.S. Case No. 2 of 2011 on 02.03.2011 levelling accusation under Sections 376, 379, 120B of the Indian Penal Code against Afroj Ansari and Aas Mohammad Ansari and claimed that Afroj Ansari established physical relationship on promise of marriage. Thereafter the complainant filed Complaint Case No. 557 of 2013 on 22.05.2013 claiming Jubair Ansari as her husband levelling accusations under Section 498A and other provisions of the Indian Penal Code. The complainant has also filed Maintenance Case No. 91 of 2013 on 04.06.2013 against Jubair Ansari.

Considering the inconsistent stand of the complainant, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Judicial Magistrate, 1st Class, Rohtas at Sasaram in connection with Judicial Magistrate, 1st Class, Rohtas at Sasaram in connection with Complaint Case No. 148 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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