

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12962 of 2016

Arising Out of PS.Case No. -161 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Md. Jahangir, son of Late Mahruddin
2. Jahana Khatoon, wife of Jahangir @ Md. Jahangir
3. Irshad @ Irshad Khatoon son of Md. Jahangir
All residents of Village-Bhalpatti, P.S.-Muriya, District-Darbhanga
..... Petitioner/s

Versus

1. The State of Bihar
2. Nemtul Nisha, wife of Md. Nisha
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-04-2016

Petitioners being parents and brother of the husband of the complainant are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 406 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

Though the learned Sessions Judge, Madhubani has disposed of the anticipatory bail application of the petitioner on the ground that summons have been issued but a supplementary affidavit has been filed to the effect that now non-bailable warrant of arrest has already been issued. A statement to that effect has been made in par 2 of the

supplementary affidavit.

It is submitted by learned counsel for the petitioners that thrust of accusation is against the husband of the complainant and petitioners claim to be separate from the complainant and her husband.

Considering the aforesaid facts, 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Trial No. 2622 of 2015, arising out of Complaint Case No. 161 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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