

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.408 of 2016

Arising Out of PS.Case No. -1472 Year- 2005 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Mofiluddin Son of Jamil Ahmad
2.Chunni Khatoon Wife of Md. Mofiluddin Both residents of Village -
Rangpur, P.S. Mirganj, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Subera Khatoon Wife of Md. Mofiluddin, D/o Sk. Sajjad Hussain
Resident of Village - Musapur, P.S. Kohra, District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Adv

For the Opposite Party/s : Mr. S.Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 05-01-2016 Heard learned counsels for the petitioner and the State.

The petitioners 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 Sections 379 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioners that though the petitioners earlier bail application was dismissed vide Criminal Miscellaneous No. 39727 of 2007 by a co-ordinate bench

of this court but since now the issue has been resolved, hence the prayer has been renewed.

Considering the fact that earlier the bail application of the petitioners was dismissed by a co-ordinate bench of this Court, this Court is not inclined to interfere, however, in view of the fact that the issue has been reconciled between the parties, let the learned court below consider the prayer for regular bail of the petitioners if they surrenders within a period of six weeks in connection with C.A. Case No. 1472 of 2005.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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