

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45193 of 2016

Arising Out of PS.Case No. -938 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Nazama Khatoon,
 2. Mooni Khatoon

.... Petitioner/s

Versus

1. State of Bihar,
2. Rajda Khatoon

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-10-2016 Learned counsel for the petitioners is permitted to make
necessary correction in the petition, as prayed for.

Heard learned counsels for the petitioners and the State.

The petitioners being mother and sister of the informant
of the complainant are apprehending arrest in a complaint case in
which process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A of
the Indian Penal Code.

The basic accusation is of torture. It is claimed by the
complainant that the complainant performed love marriage with
Md. Imtiyaz in 2012 and she started residing in a rented house at
Biharsharif with her husband but when the petitioners and other
family members came to know, they came and started demanding

dowry and due to non fulfillment of the same torture was being inflicted. The complainant was driven out from the matrimonial house.

It is submitted by the learned counsel for the petitioners that since there was love marriage between the complainant and the son of petitioner no. 1, hence there is no question of demand of dowry. Subsequently, the husband of the complainant filed Matrimonial Suit No. 208 of 2013 with a prayer for divorce. It is further submitted that the petitioners are separate from the husband of the complainant.

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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Barh, Patna in connection with Complaint Case No. 938 C of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--