

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51997 of 2016

Arising Out of PS.Case No. -236 Year- 2016 Thana -BARH District- PATNA

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1. Nargis Ali, D/o Late Ali Ahmed,
2. Md. Iqwal Ali @ Iqwal Ali, Son of Late Ali Ahmad, Both residents of
Chandi, P.S.- Barh, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners apprehend arrest in connection with

Barh P.S. Case No. 236 of 2016 registered under Sections-

498A, 376, 354, 34, 323, 504 of the Indian Penal Code and

sections 3/4 of the Dowry Prohibition Act.

The allegation against the petitioners is of torture

due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that

they have been implicated in this case just because they are

family members of the informant husband. Petitioner no. 1 is

sister of the husband of the informant and petitioner no. 2 is

brother of the husband of the informant and they both reside



separately from the husband of the petitioner.

Considering the facts and circumstances of the case, the petitioner no. 1, Nargis Ali, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 236 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

However, considering the fact that petitioner no. 2 has criminal history as he is accused in Barh P.S. Case No. 103 of 2010 registered under section 448, 341, 323, 354, 34 of the Indian Penal code and Barh P.S. Case No. 62 of 2012 registered under sections 341, 323, 379, 504, 34 of the Indian Penal Code, I do not feel inclined to grant him the privilege of anticipatory bail. His prayer for grant of anticipatory bail is, therefore, rejected.

(Arvind Srivastava, J)

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