

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17218 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -DAGARUA District- PURNIA

- =====
1. Mohsin @ Mosim son of late Siddique
 2. Subhan @Md. Subhan @Md. Suhan Son of late Siddique
 3. Akhtari Begum Wife of Late Siddique All are residents of Baariyara tola(Kariyan) P.s Dagarwa, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-05-2016 Heard both sides.

The petitioners apprehend their arrest in a case under Section 304B/34 of the Indian Penal Code and under section 34 of Dowry Prohibition Act.

The informant, brother of the deceased, made allegation that his sister was married to Md. Rehman, who was torturing her for non fulfillment of demand of motor cycle. It is further alleged that his sister was divorced but she gave birth to a female child and thereafter her husband took her to his house and assaulted her.

It is submitted that nowhere the petitioners are alleged to have subjected the deceased to any sort of torture but at

the fag end of the FIR the informant alleged that petitioners were also helping Md. Rehman in torturing his sister. It is submitted that petitioners are brothers-in-law and mother-in-law of the deceased and they have no manner of concern with the family affairs of deceased.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-II-cum-Additional Chief Judicial Magistrate, Purnea in Dagarua P.S. Case No. 05 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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