

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19065 of 2016

Arising Out of PS.Case No. -2404 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Md. Majid S/o Namalum,
 2. Md. Mokhtar @ Md. Mukhtar,
 3. Md. Sattar,
 4. Md. Jabbar,
 5. Md. Shamsher,

All Sons of Md. Majid All Resident of Vijayaghat, Thana Mohanpur,
Naugachia, District - Bhagalpur.

6. Bibi Khuresha Khatun @ Kurasi @ Bibi Kurisha @ Kuraisi Wife of
Md. Majid, Resident of Vijayghat, P.S. - Mohanpur (Naugachia),
District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Aisha Praveen @Gudiya, Wife of Md. Mumtaj, Daughter of Late
Ahmed, Resident of Village - Fatehpur, P.S. - Industrial (Zero Mile),
District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amiya Kunal

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 12-07-2016

Heard learned counsels for the petitioners

and the State.

The petitioners being the parents and

brothers of the husband of the complainant 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 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

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

The notices were issued to complainant-opposite party no. 2 vide order dated 02.05.2016. The office note dated 11.07.2016 reflects that ordinary process of notice has been received by opposite party no. 2, but none is appearing on behalf of opposite party no. 2.

Considering the thrust of accusation against the husband of the complainant, 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like

amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 2404 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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