

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21774 of 2016

Arising Out of PS.Case No. -2370 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Sheikh Irfan Son of Sheikh Kabul (Husband)
 2. Sheikh Kabul Son of Late Sheikh Rashid (Father - in - Law)
 3. Sheikh Chhotan Son of Late Sheikh Yasin (Brother - in - Law)
 4. Ashnara Khatoon Wife of Sheikh Chhotan (Wife of Brother - in - Law)
 5. Jamila Khatoon Wife of Sheikh Saiyad (Wife of Cousin)
 6. Nejama Khatoon Wife of Sheikh Sahabul (Auntie - in - Law)
 7. Sheikh Sahabul Son of Late Rashid (Uncle - in - Law)
 8. Sheikh Irshad Son of Sheikh Sahabul (Cousin)
 9. Sheikh Shahid Son of Sheikh Sahabul (Cousin) All resident of village -
Nautanwa, P.S. Shikarpur, District - West Champaran
 10. Sheikh Haroon Son of Late Sheikh Bhoj (Nandoshi)
 11. Abnara Khatoon Wife of Sheikh Haroon (Married Nand)
 12. Sheikh Khurshid @ Sheikh Khurshed Alam Son of Sheikh Jainul (Nandoshi) All residents of village - Trilokwa, P.S. Shikarpur, District -
West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Ashiyana Praveen Wife of Sheikh Irfan and daughter of Shoyaib Alam
resident of village - Ghorpakadi, P.S. Inarwa, District - West
Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 19-05-2016

Heard learned counsels for the petitioners

and the State.

The petitioner no. 1 Sheikh Irfan being the husband of the complainant whereas petitioner nos. 2 to 12 being the father, brothers-in-law, sisters including married sisters, cousins' wives, aunts, uncle and cousins of the husband of the complainant are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341, 498A and 379 of the Indian Penal Code.

The basic accusation is of torture.

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners since only the summons were issued. Learned counsel for the petitioners has not controverted this fact that till date only summons have been issued.

Under the circumstances, let the learned court below consider and dispose of preferably on the same day the prayer for regular bail of the petitioners in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in PLJR 2015(3) 806, if the petitioners surrender before the learned court below within a period of six weeks from today in connection

with Complaint Case No. 2370-C of 2015 pending in the court of learned Judicial Magistrate, Ist Calss, Bettiah, West Champaran.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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