

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56295 of 2017

Arising Out of PS.Case No. -614 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Sheeraz Ahmad @ Faizi, Son of Shamim Ahmad
2. Shahnawaz Ahmad @ Chand, Son of Shamim Ahmad Both are resident of Village- Chandanpatti, P.S.- Ashok Paper Mill, District- Darbhanga, Presently resident of Village- Ballopur Ekmi, P.S.- Bahadurpur, District- Darbhanga.

.... Petitioners

Versus

1. The State of Bihar.
2. Faukiqia Farheen @ Rokaiya, daughter of Late Md. Usman @ Hakim Md. Usman Shahid Hashmi, resident of Mohalla- Zakaria Colony Sadpura, P.S.- Kazi Mohammadpur, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi
For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case instituted under Sections 498A of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The case is triable by the Magistrate. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioners are named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint case No. 614/2016 (T.R. No.2297/2017), on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (East), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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