

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22325 of 2017

Arising Out of Complaint Case No. -1703 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Badruddin Dewan, S/o Late Hafiz Dewan.
2. Mehrun Nesha, Wife of Badruddin Dewan.
3. Nashima Khatoon, Wife of Merazul Haque,
All Resident of Village- Hingalahar, P.S. State District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabrun Nesha @ Sabrun Khatoon, W/o Merazul Haque, Resident of
Village- Hingalahar, P.S. Sathi, District- West Champaran, Daughter of
Manir Dewan, Resident of Village- Nanvkar Motihari, P.S. Shikarpur,
District West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Adv.
For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh, APP
For O.P.No. 2 : Mr. Sushil Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 19-08-2017 Heard learned Counsels for the petitioners,

complainant and the State.

The petitioners, being the parents and second wife of
the husband of the complaint, are apprehending arrest in a
complaint case, wherein, process has been directed to be issued
after cognizance being taken for the offence punishable under
Section 498A of the Indian Penal Code.

Prosecution case as per the complainant is that the
marriage of the complainant was performed with Merazul



Haque, 12 years prior to lodging of the present case. Subsequently, after five years of the marriage, torture was inflicted for non-fulfillment of the dowry demand of Rupees Two Lacs. The husband of the complainant performed second marriage with one Nashima Khatoon. Though, effort was made by the family members of the complainant to resolve the issue, but the issue could not be resolved.

It is submitted by learned Counsel for the petitioner that marriage of the complainant with the son of petitioner nos. 1 and 2 is an admitted fact. The thrust of accusation is against the husband of the complainant, who has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order dated 10.08.2017, passed in Criminal Miscellaneous No.37676 of 2017.

Learned Counsel for the complainant submits that the accusation of torture is also against these petitioners. However, he does not controvert this fact that the husband of the complainant has been granted anticipatory bail.

Considering the accusation being omnibus and general against these petitioners and the thrust of accusation against the husband of the complainant who has been granted anticipatory bail, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Bettiah, West Champaran, in connection with Complaint Case No.1703 C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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