

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39996 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kalamuddin, son of Sharfuddin.
 2. Sarfuddin @ Sharfuddin Ansari, son of Late Bhardul Ali.
 3. Bakridan Khatoon, wife of Sharfuddin.
 4. Sairunesha, wife of Kalamuddin.
 5. Md. Nawab Raja @ Nawab Raja, son of Kalamuddin.
 6. Gulshan Khatoon, daughter of Kalamuddin. All residents of Village-
Madhopur, P.S. Madhuban, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Syed Ehteshamuddin, Advocate.
For the State : Mr. Md. Anzarul Haque Sahara, A.P.P.
For the Informant : M/S. Madhurendra Kumar and Avinash
Kumar, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are apprehending their arrest in
connection with Madhuban P.S. Case No. 48/2017 (G.R. No.
1104/2017) for the offences instituted under Sections 498(A),
304(B) and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners tortured the informant due to
non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in jail custody. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

It has been submitted by learned counsels for the State and the informant that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Madhuban P.S. Case No. 48/2017 (G.R. No. 1104 of 2017) 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 A.C.J.M. IV, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)