

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33801 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -KOTHIGRAM District- GAYA

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1. Abul Wafa Rahmani S/o Late Ghulam Mustafa Khan
 2. Sayeda Tadbir Khanan @ Chhotto @ Tatabir Khanam W/o Abul Wafa Rahmani, Resident of Village+ P.S.- Kothi, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : M/S. Deepak Kumar, Dhananjay Kumar
Gupta and Harish Chandra Patel,
Advocates.

For the Opposite Party : Mr. Umanath Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsels for the petitioners, informant and
learned counsel for the State.

The petitioners are apprehending their arrest in connection with Kothi P.S. No. 19/2017 for the offences instituted under Sections 312, 498(A)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the informant due to non-fulfilment of 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 with the witnesses alleged against the petitioners.



The case is triable by the Magistrate. They have falsely been implicated in the present case due to petty family dispute. 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. The petitioner no. 1 is the father-in-law of the victim and petitioner no. 2 is the mother-in-law of the victim. They are separate in mess and property from the husband of the victim.

On behalf of the learned counsels for the State and the informant, it has been submitted 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 Kothi P.S. Case No. 19/2017 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. Sherghati, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)