

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45244 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -SIWAN COMPLAINT CASE District- SIWAN

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1. Tetari Khatoon, W/o late Ali Asagar Quraishi.
 2. Akhtar Ali Quaraishi.
 3. Ashif Quaraishi @ Ashik Quaraishi, Both sons of Late Ali Asagar Quarishi.

All residents of village- Harihans P.S.- Husainganj, District- Siwan.

.... Petitioners

Versus

1. State of Bihar.
2. Shahina Khatoon, W/o- Haidar Ali Quarishi, D/O Mohammad Quarishi, R/O Village- Harihans Quarishi, District- Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate.

For the State : Smt. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A) of the Indian Penal Code.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim 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. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. The petitioners are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. 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.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Siwan, in connection with Complaint Case No. 28 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

