

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35958 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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1. Sakibun Khatoon, Wife of Khurshid Alam, null
2. Khurshid Alam @ Bigu @ Md. Khurshid Alam, Son of Md. Amira Both
Resident of Village- Nardarwa, P.S.- Kalyanpur, District- East Champaran.
3. Rubi Khatoon, Wife of Md. Gulab Alam, at present Village- Shitalpur,
P.S.- Kalyanpur, District- East Champaran as per F.I.R., Daughter of
Khurshid Alam, Resident of Village- Nardarwa, P.S.- Kalyanpur, District-
East Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Soni Khatoon, Daughter of Md. Nizam, Resident of Village- Repura
Rampur Balli, P.S.- Saraiya (Jaintpur O.P.), District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Saraiya (Jaintpur O.P.) P.S. Case No. 92 of 2017
for the offences instituted under Sections 498A, 379, 324, 34 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 petitioners have falsely been implicated in the present case. The petitioner no.1 is mother-in-law of the victim, petitioner no.2 is father-in-law of the victim and petitioner no.3 is married sister-in-law 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory 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 Saraiya (Jaintpur O.P.) P.S. Case No. 92 of 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., West 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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