

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38551 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -MAHILA P.S. District- -

- =====
1. Nek Mohammad, Son of Bakrid Mian.
 2. Laal Mhammad, Son of Bakrid Mian.
 3. Md. Reja @ Reza @ Reja Mian @ Md. Roja, Son of Bakrid Mian.
 4. Mariyam Khatoon, Wife of Bakrid Mian.
 5. Maiful Khatoon @ Maijul Khatoon, Wife of Md. Munna. All resident of Village-Piprahi, Police Station-Riga, District-Sitamarhi.

.... Petitioners

Versus

1. State of Bihar
2. Shajaha Khatoon, Wife of Mohajim Mansoori, Daughter of Najir, Resident of Village-Madhubani, Police Station-Sahiyara, District-Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pushendra Kumar Singh

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2017 Heard learned counsels for the petitioners and the State.

The petitioners, being the brothers, mother and sister of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case got initiated on the written report dated 16.03.2017, submitted by the informant/opposite party no.2, before the Officer-in-Charge, Sitamarhi Mahila Police Station, to the effect that the marriage of the informant with Mojahid Mansoori was performed on 24.01.2017. She spent 15 days happy married life, thereafter, demand of dowry of Rs. 75,000/- was



made by the accused persons for running business. On 10.02.2017, the informant was badly assaulted by the accused persons and attempt was made to kill the informant by causing burn injury. The father of the informant made an attempt to reconcile the issue, but ultimately, on 03.03.2017, the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant. There is no specific accusation against the petitioners. The petitioners claim to be separate from the husband of the informant. Moreover, admittedly, the marriage was performed on 21.01.2017 and within six weeks of marriage, the present FIR was lodged on 16.03.2017. There is nothing on record to suggest that the informant has received any injury.

Considering the thrust of accusation against the husband of the informant, 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 twelve 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 learned CJM, Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 12 of 2017, subject to the conditions as laid down



under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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