

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55343 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -BAGAIINGOLA District- BUXAR

- =====
1. Makbul Ansari S/o.- Ishmail Ansari
 2. Mustafa Ansari S/o.- Ishmail Ansari
 3. Mustak Ansari S/o.- Ishmail Ansari
 4. Samima Khatun D/o.- Ishmail Ansari
 5. Babi Begum W/o.- Ishmail Ansari All R/o.- Village - Bhada, P.S.-
Bagen Gola, Dist- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Advocate
		Mr. Ajay Nandan Sahay, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Angad Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 498A/304B/34 of the Indian Penal Code.

The petitioners are relations of the husband of deceased Reshma Khatoun, who died in her matrimonial house in unnatural circumstance within a year of her marriage as per F.I.R. Allegation is that she was being tortured by her in-laws and even assaulted by the petitioners for non-fulfilment of dowry demand.

Submission of the petitioners is that the case-diary



would reveal that no one supported the allegation of demand of dowry and torture against the petitioners, as such, the police did not send up the petitioners for trial. The husband of the victim is already in custody.

Learned counsel for the informant opposed the prayer on the ground that presumption of dowry death is there against the petitioners. However, he could not convince regarding the fate of the trial and justification for pre-trial custody of the petitioners.

Let, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 learned 1st Additional Chief Judicial Magistrate, Buxar/Successor Court in connection with Bagen Gola Police Station Case No.67 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Mkr./-

(Birendra Kumar, J)

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