

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59441 of 2017

Arising Out of PS. Case No.-40 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Md. Domi @ Domi Mian S/o Md. Nooro
2. Bibi Fuhi W/o Md. Domi @ Domi Mian both residents of
Village- Sihaul, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Parbin @ Sanam Khatoon Parbin w/o Md. Mursid, D/o Rojit
Mian, resident of village Sihaul, P.S. Bihra, District Saharsa, presently
resident of village Nisiharpur, P.S. Shankarpur, District Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. BRAJENDRA NATH PANDEY, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 323, 341, 504, 498A of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture
upon the victim 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 of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. The case is triable by the Magistrate. The



petitioners have 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 State, it is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhepura in connection with Complaint case No.40 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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