

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61655 of 2017

Arising Out of PS.Case No. -262 Year- 2017 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Abulaish @ Abulaish Mian, Son of Mainuddin Mian @ Md. Mainuddin.

2. Md. Afroj Alam, Son of Ajijul Hakim @ Md. Ajijul Hakim, Both are resident of Village- Bhakurahia, P.S.- Nakardei (Adapur), District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case instituted under Sections 342, 323, 324, 307, 498(A), 447, 504, 506, 379/34 of the Indian Penal Code and ¾ 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 are not the family members. The nature of injury is said to be simple. No offence under Section 307 of the Indian Penal Code is made out against the petitioners. 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Adapur (Nakardei) P.S. case No.262/2017 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., Raxaul, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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