

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56932 of 2017

Arising Out of PS. Case No.-39 Year-2017 Thana- PARIHAR District- Sitamarhi

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1. Md. Hussain @ Hussain Alam, son of Late Abdul Mannan Morahum
 2. Md. Saddam @ Saddam Hussain Son of Late Abdul Mannan Morahum
 3. Nasreen Khatoon, Wife of Md. Saddam.
 4. Farzana Khatoon, Wife of Late Abdul Mannan Morahum,
 5. Ukarmi Khatoon, Wife of Md. Hussain @ Hussain Alam, All resident of village Siswa Ward No. 5, P.S. Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. ASHOK KUMAR SINGH 1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 504, 376/34 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 charge sheet has been submitted in the case under Sections 498A/34 I.P.C. only. 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 F.I.R.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vith, Sitmarhi in connection with Parihar P.S. case No.39 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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