

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4153 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -HAYAGHAT District- DARBHANGA

=====

1. Mazida Khatoon W/o Md. Shafikul
2. Akhatari Khatoon D/o Md. Shafikul Both Resident of Village-Baghra,
Thana-Baheri, District-Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shama Sinha
For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Hayaghat Police Station Case No. 69 of 2016, disclosing offences under Sections 498-A, 313, 314, 315 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Accusation is of assault for non-fulfillment of dowry demand. It is alleged that due to assault, two months pregnancy of the informant was terminated and she was ousted from her matrimonial home.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners, who happens to be old lady and unmarried sister-in-



law, respectively, of the informant, and no specific allegation of assault is attributed them. In fact, the informant, who has already four children, herself terminated her pregnancy, for which, her some confrontation took place with her husband and she, accordingly, left the matrimonial home. No case of assault and termination of pregnancy is made out against these petitioners, which is evident from annexure-1 Hence, these petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Darbhanga, in connection with Hayaghat Police Station Case No. 69 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

