

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36389 of 2017

Arising Out of PS.Case No. -587 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. LAILLUN NISHA, wife of Late Wahab Kha,
2. Lala Begam @ Roshan Ara, wife of Late Bahar Khan, D/o Late Wahab Khan, R/o Mohalla- Saiyad Bara, Gajipur, P.S.- Sadar Gajipur, District- Gajipur, Uttar Pradesh.

.... Petitioners

Versus

1. The State of Bihar.
2. Rajiya Khatoon, wife of Mumtaj Khan, D/o Jahir Khan, R/o Mohalla- Saiyad Bara, Gajipur, P.S.- Sadar Gajipur, District- Gajipur, Uttar Pradesh. at present Patelwa, P.S.- Mohania, District- Kaimur at Bhabua.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioners and

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.587 of 2016, for the offence instituted under Sections 498(A) of the Indian Penal Code.

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 falsely been implicated in the present case. There is no allegation of tampering of witnesses alleged against the



petitioners. The case is triable by the Magistrate. The petitioner no.1 is mother-in-law of the victim and petitioner no.2 is sister-in-law of the victim. They are separate in mess and property from the husband of the victim. 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 Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.587 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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