

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45022 of 2017

Arising Out of PS.Case No. -506 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Afrida Khatoon, daughter of Sakoor,
 2. Asadullah, Son of Gaffoor,
 3. Gaffoor @ Sheikh Gaffoor @ Gafoor, Son of Sheik Basir, All resident
of Village- Mohammadpur, P.S.- Banjaria, District- East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shakil Ahmad Khan, Advocate.

For the State : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Turkaulia (Banjaria) P.S. Case No. 506 of 2015 for the offences instituted under Sections 498(A), 494, 341, 323, 504, 379, 307 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the informant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the



present case due to petty family dispute. The petitioner no. 1 is the second wife, petitioner no. 2 is the second brother-in-law and petitioner no. 3 is the second father-in-law of the husband of the informant. Petitioner nos. 2 and 3 are separate in mess and property from the husband of the informant. The petitioners have further 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.

It has been submitted by learned counsel for the State that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on 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 Turkaulia (Banjaria) P.S. Case No. 506/2015 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

