

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40154 of 2017

Arising Out of PS.Case No. -2776 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Rojid Mian, S/o Late Phool Mian.
 2. Matijna Khatoon, W/o Rojid Mian, Both R/o Village- Belwa, Jangal Tolar, Dewaki Nagar P.S. Padrauna, District- Kushinagar (U.P.).

.... Petitioners

Versus

1. The State of Bihar.
2. Laila Khatoon, D/o Ali Hasan Ansari, R/o Village- Palri, P.S.- Kuchaikot District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Jitendra Kumar Singh, Advocate.

For the State : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 2776/2015, Tr. No. 2749/17 for the offences instituted under Section 498(A) of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the complainant 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 tapering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner no. 1 is the father-in-law and petitioner no. 2 is the mother-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 @ 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 complaint case.

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 Complaint Case No. 2776/2015, Tr. No. 2749/17 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 S.D.J.M. Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)



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