

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52184 of 2017**

Arising Out of PS.Case No. -4450 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-  
GOPALGANJ

- =====
1. Ajimullah @ Md. Azimullah son of Mohammad Safique
  2. Seraj Ahmad @ Seraj Ahmad son of Ajimullah
  3. Zubaida Khatoon wife of Ajimullah All Vill - Fatoha, P.S. - Gopalganj, Distt. Gopalganj.

.... .... Petitioners

Versus

1. The State of Bihar.
2. Nikahat Naj W/o Faiyaj Ahmad Vill - Fataha, P.S. Gopalganj Town, Dist. - Gopalganj, At present daughter of Asgar Ali, Village - Jagmalwa, P.S. - Thawe, Distt. - Gopalganj.

.... .... Opposite Parties

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**Appearance :**

For the Petitioners : Mr. Sushil Kumar, Advocate.

For the State : Mr. Navin Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-11-2017                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are apprehending their arrest in a case  
for the offence registered under Sections 498(A), 323 and 120(B)  
of the IPC.

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

It has been submitted by learned counsel for the  
petitioners that the petitioners have falsely been implicated in the



present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioners. The case is triable by the Magistrate. The petitioners are in-laws 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.

On behalf of the learned counsels for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M. XII, Gopalganj, in connection with Complaint Case No. 4450 of 2016, Tr. No. 1148/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**