

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60523 of 2017

Arising Out of PS.Case No. -1294 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

=====

1. Madina Khatoon, W/O Md. Yasin Baitha.
2. Md. Yasin Baitha, S/O Late Md. Jamir Baitha. Both R/V- Kusumpur
Bakhari, P.S. Riga, District-Sitamarhi..... Petitioners
Versus

1. The State of Bihar.
2. Sajda Khatoon @ Rojida Khatoon, W/O Md. Osaid Baitha and D/O
Mangal Safi, R/V- Kusumpur Bakhari, P.S. Riga, District-Sitamarhi,
presently residing at Village- Narharpur, Basaha, P.S. Bajpatti, District-
Sitamarhi..... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Pushpendra Kumar Singh, Advocate.
For the State : Mr. Uma Shankar Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 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 victim 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. The petitioners have falsely been



implicated in the present case due to petty family dispute. 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 counsel 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 S.D.J.M. Sadar, Sitamarhi, in connection with Trial No. 2761 of 2017, arising out of Complaint Case No. C-1/1294 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)