

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52517 of 2016

Arising Out of PS.Case No. -173 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

- =====
1. Heena @ Hena Darakshan @ Hena W/o- Md. Naushad
 2. Md. Naushad @ Naushad Ahmad Ansari Son of Shabir Ahmad Ansari,
Both resident of Pilkhana, 2nd Lane, Howrah, Hoara (M. Corp.) Howrah,
West Bengal.
 3. Zeeba @ Jeba Najmi @ Zeba, W/o Md. Nisar @ Mohammad Nesar
Ansari
 4. Md. Nisar @ Mohammad Nesar Ansari Son of Md. Naushad Ansari
Both R/o Mohalla- Sultanganj, P.S.- Sultanganj, Patna.

.... Petitioner/s

Versus

1. State of Bihar
2. Gulsaba W/o Md. Salik Anjum, R/o- Mohalla- Maulla Nagar, Sohsarai,
P.S.- Sohsarai, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 08-03-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Sohsarai Police Station Case No. 173 of 2016, disclosing
offences under Sections 498(A), 307/34 of the Indian Penal
Code and 3/4 of the D.P. Act.

Learned counsel for the petitioners has submitted
that there is general and omnibus allegation against these
petitioners and no specific overt act is attributed to them. These
petitioners, who happen to be close relatives of the informant,



have no concern with the alleged occurrence rather they live separately and also they no concern with the matrimonial dispute of informant and her husband. In fact, the alleged occurrence took place on 31.07.2016 but surprisingly the present case has been filed on 08.10.2016 after lapse of more than two months, the delay itself falsify the allegation made in the complaint. No case of assault and demand of dowry is made out against these petitioners. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Sohsarai Police Station Case No. 173 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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