

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10533 of 2017

Arising Out of PS.Case No. -1144 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

=====

1. Md. Eisha, Son of Late Subjan,
2. Mofida Khatoon, Wife of Md. Eisha.
3. Md. Meraj, Son of Md. Eisha.
4. Anjum Aara @ Anjum Aara Khatoon, Wife of Md. Meraj, All Resident
of Village- Rupwara, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nargis Khatoon, wife of Md. Seraj, D/o Md. Motiur Rahman, Resident of
Village- Rupwara, P.S. Tariyani, District- Sheohar presently residing at
Village Rajopatti, Mill Tola, P.S. Sitamarhi, District- Sitamarhi.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioners and the
learned APP.

The petitioners are apprehending their arrest in a case
registered under Section 498 of the Indian Penal Code.

The prosecution case, in brief, is that the Complainant
was married with co-accused Md. Seraj and after marriage the
accused persons including the petitioners committed physical and
mental torture to the complainant due to non-fulfilment of dowry
and lastly they ousted her from the matrimonial home.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioners. The petitioner No.1 is the father-in-law of the Opposite Party No.2, petitioner No.2 is the mother-in-law of the Opposite Party No.2, petitioner No.3 is the Bhainsur of the Opposite Party No.2 and petitioner No.4 is the wife of the petitioner No.3. They have falsely been implicated in the present case. The petitioners are separate in mess and property from the husband of the complainant. The counsel for the petitioners has 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 State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint case No. C-1/1144 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

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

(Sudhir Singh, J)

