

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41298 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Ataur Rahman, son of late Razak Mian
2. Naseema Khatoon, wife of Ataur Rahman
3. Sajid @ Md. Sajid Ansari, son of Serajul Mian

All residents of village Inarwa Bhar, P.S. Paharpur, Distt. East Champaran.

4. Md. Gulam Mustafa, son of Jamadar Mian
5. Saithrul Khatoon, wife of Md. Gulam Mustafa

The petitioner Nos. 4 and 5 are residents of village Izra Nawada, P.S. Gobindganj, Distt. East Champaran.

6. Md. Usman, son of late Quamar Hussain
7. Sahnaz Khatoon, wife of Md. Usman

The petitioner Nos. 6 and 7 are residents of Mohalla Baswariya, Michael Colony, P.S. Bettiah Town, Distt. West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ayesha Khatoon, wife of Md. Sakir Karim, resident of Mohalla Baswariya, Daroga Talal, P.S. Bettiah Town, Distt. West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Bettiah Town P.S. Case No. 79 of 2017 instituted for the offence under Sections 498-A, 341, 323, 379, 504/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

It has been submitted that all these petitioners are family members of the husband of daughter of informant. Police



after investigation submitted charge sheet only against the husband of the daughter of informant Shah Faisal @ Babloo and his brother Sajid @ Md. Sajid Ansari (petitioner No. 3) and did not sent up the other accused persons for trial. The cognizance has been taken against the petitioners also vide order dated 17.04.2017.

In the written report there is general and omnibus allegation against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Trial No. 2579 of 2017 arising out of Bettiah Town P.S. Case No. Case No. 79 of 2017, they shall be released on anticipatory 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 Sub Divisional Judicial Magistrate, Bettiah, West Champaran, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive



dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

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(Sanjay Priya, J)

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