

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58061 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -JALALPUR District- SARAN

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1. Mukhtar Sai, son of Late Hamid Sai
2. Saheb Hussain, son of Mukhtar Sai
3. Tufani Sai @ Tufani Sah, son of Mukhtar Sai
4. Imran Sai @ Ibrar Sai, son of Saheb Hussain, All residents of Village-
Jhurakhan, Police Station- Hussainganj, District- Siwan.

.... Petitioners

Versus

1. The State of Bihar.
2. Roshan Tara, wife of Imamuddin, D/o Gafur Sai, At present R/o Village-
Kishunpur, Harpur, P.S.- Jalalpur, District- Saran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 323, 380, 307, 498A of the Indian Penal
Code and ¾ of D.P. Act.

The allegation against the petitioners is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

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



petitioners have falsely been implicated in the present case. There is no injury report to support the allegations made in the F.I.R. 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 Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Jalalpur P.S. Case No. 127 of 2017 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Saran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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