

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5947 of 2017

Arising Out of PS.Case No. -33 Year- 2016 Thana -MAHILA P.S. District- SAHARSA

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1. Rafida Khatoon Wife of Md. Kalim Uddin
 2. Md. Kalim Uddin Son of Late Md. Khalil
 3. Md. Zakir Son of Md. Kalim Uddin
 4. Md. Sakil Son of Md. Kalim Uddin All residents of Village - Pakaria, P.S. - Jamalpur, District - Darbhanga.
 5. Zahida Khatoon Wife of Md. Mustakin @ Nago Resident of Village - Tarhi, Chakla Tola, P.S. - Jamalpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shahjahan Khatoon Wife of Md. Sahid, Daughter of Murtuja Resident of Village - Chakaria, P.S. - Jamalpur, District - Darbhanga at present residing at Village - Darhar, P.S. - Nauhatta, O.P. - Darhar, District - Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioners, and the learned counsel representing the State.

The petitioners apprehend their arrest in connection with Saharsa Mahila P.S Case No. 33 of 2016 registered for the offences punishable under Sections 498-A, 323 and 379/34 of the Indian Penal Code and Section 3/4 D.P. Act.

Allegedly, the petitioners and other co-accused assaulted informant Shahjahan Khatoon, wife of Md. Shahid for not fulfilling the demand of Rs. 1 lac. The petitioner no. 1 and



Gotni used to assault and torture her and further caused threats. Md. Shahid, the husband of the informant developed illicit relationship with petitioner no. 5 Zahida Khatoon which was opposed by the informant and then she was assaulted and ousted from her in-laws house after snatching her ornaments and clothes etc.

Submission is of false implication and that the petitioners are old mother-in-law and father-in-law. Devers and petitioner no. 5 has been un-necessarily made accused. She has got no concern with the husband of the informant and, as such, the petitioners deserve sympathetic consideration. No injury report has been annexed with the complaint petition which is the basis of this case.

Learned A.P.P. fairly submits that the petitioners are mother-in-law, father-in-law and Devers of the informant and petitioner no. 5 Zahida Khatoon, having allegation of illicit relation with the husband of the informant.

In the facts and circumstances stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on 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, Saharsa in connection with Saharsa Mahila P.S. Case No. 33 of 2016 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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