

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35979 of 2017

Arising Out of PS.Case No. -2082 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Rabeya Khatoon, Son of Sk. Rahamatullah,
2. Sk. Rahamatullah Son of Late Rahamat Hussain, Both R/o Village-
Gochhi, Sheikh Toli, P.S.- Kesariya, District- East Champaran.
..... Petitioners

Versus

1. The State of Bihar .
2. Khushbu Tara W/o Majid Ekbal, D/o Sk. Reyajul, At present R/o
Village- Gadahiya, P.S.- Madhuban, District- East Champarn.
..... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Tr. No. 1965 of 2017, arising out of Complaint Case No. C-2082 of 2016 for the offences instituted under Sections 498(A) of the Indian Penal Code and Section 3/4 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 been falsely implicated in the present case. There is no allegation of tampering of witnesses alleged against



the petitioners. The case is triable by the Magistrate. The petitioner no.1 is mother-in-law of the victim and petitioner no.2 is father-in-law 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 @ Naimul Haque Ansari & Ors 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 Complaint case.

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 Tr. No. 1965 of 2017, arising out of Complaint Case No. C-2082 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar at East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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