

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44617 of 2017

Arising Out of PS. Case No.-131 Year-2017 Thana- GOGRI District- Khagaria

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1. Md. Sahbul S/o Late Israfil
 2. Sabra Khatun W/o Md. Sahbul Both are residents of Village - Gogri Ward No. 5, P.S. Gogri, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asgari W/o Md. Sahbul resident of Village - Gogri, Ward No. 5, P.S. Gogri, District - Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr. AKBAR ALI, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and 3 of the Domestic Violence Act, 2005.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of 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 has falsely been implicated in the present case. The case is triable by the Magistrate. The



petitioners have 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) with two sureties of the like amount each to the satisfaction of Sri Brajesh Kumar, Judicial Magistrate, 1st class, Gogri, Khagaria in connection with Gogari P.S. case No.131 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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