

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47549 of 2017

Arising Out of PS.Case No. -1957 Year- 2005 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Md. Sharif Son of Late Mohammad Amim Marhoom,
2. Mehrun Khatoon W/o Md. Sharif Both are R/o Village- Pujahan Sheikh Toli, P.S.- Pujahan Patjirwa, , District- West Champaran, at present Lok Janshakti Party, Zila Chandani Chowk Office-19 B-289 Sanjay Amar Colony Yamuna Pusta Delhi-6, Branch office Ajamari Gate Railway Colony, Delhi-6.

.... Petitioners

Versus

1. The State of Bihar.
2. Rabeya Khatoon W/o Mohammad Sharif, D/o Sheikh Aziz, R/o Village- Pujahan Patjirwa, District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-11-2017 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 498(A) of the Indian Penal Code and 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 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. The petitioner no.1 is husband of the victim and petitioner no.2 is soutan of the victim. Due to petty family dispute, the present case has been instituted. 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 Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner 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.61 of 2017, arising out of Complaint Case No.1957C of 2005, 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., Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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