

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18938 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -BHARGAWAN District- ARRARIA

Md. Jamaluddin, Son of Md. Nasir, Resident of Village Lal Kuriya P.S. Srinagar, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Rabina Khatoon, Daughter of Late Multan, Wife of Md. Jamaluddin, resident of Village Bejupatti Taktakiya, P.S. Bhargama, District- Araria.

.... Opposite Party/s

with

Criminal Miscellaneous No.49433 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -BHARGAWAN District- ARRARIA

1. Md. Nasir @ Nasir, son of late Ismail.
2. Md. Kamal, son of Md. Nasir @ Nasir.
3. Bibi Zahira @ Zahira Khatoon 2 Bibi @ Zahira Khatoon, wife of Md. Kamal.
4. Bibi Kuresha @ Kuresha Khatoon, wife of Md. Nasir @ Nasir.
5. Md. Ahmad Hussain @ Ahmad Hussain, son of Late Habib @ Vijenja.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Rabina Khatoon, Daughter of Late Multan, Wife of Md. Jamaluddin

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.18938 of 2017)

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Sri Pranav Kumar

(In Cr.Misc. No.49433 of 2016)

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 02-11-2017 Both applications are related to Bhargama P.S. Case No. 103 of 2016, therefore, both applications are heard together



and disposed of by common order.

The petitioners apprehend their arrest in connection with Bhargama P.S. Case No. 103 of 2016, registered under Sections 341, 323, 498A and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torturing and assaulting the informant by her husband, in-laws and mediator, who arranged the marriage, due to non fulfillment of demand of dowry.

Learned counsel for the petitioners submits that Md. Jamaluddin, (petitioner of Criminal Misc. No. 18938 of 2017) is the husband of opposite party no.2 and he is ready to keep his wife-opposite party no. 2 with full dignity and honour whereas Md. Nasir @ Nasir, Md. Kamal, Bibi Zahira and Bibi Kuresha and Md. Ahmad Hussain (petitioner nos. 1 to 4 of Criminal Misc. No. 18938 of 2017) are father-in-law, brother-in-law, sister-in-law(Gotani), mother-in-law of the informant and Md. Ahmad Hussain (petitioner of Criminal Misc. No. 18938 of 2017) is the mediator of the marriage of the informant. It is further submitted that in spite of notice issued to the informant-opposite party no. 2, she did not turn up before this court.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Araria, in connection with Bhargama P.S. Case No. 103 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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