

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9227 of 2018

Arising Out of PS.Case No. -30 Year- 2017 Thana -ROUH District- NAWADA

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1. Jehan Arra Wife of Seikh Md. Chand @ Sheikh Md. Chand Resident of 82/B, Rafi Ahmad, Kidwai Road, Police Station- Park Street, District - Kolkatta(24 Pragna. W.B.).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Ara Wife of Seikh Md. Ali, Daughter of Afroj Ahmad Resident of 82/B, Rafi Ahmad, Kidwai Road, Police Station- Park Street, District - Kolkatta(24 Pragna. W.B.)and Presently resident of Village-Marui, P.S. Roh, District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.
For the State : Mr. Sri Ramesh Chandra, APP.
For the informant : Mr. Arun Kumar Arun, Adv.
Mr. Atul Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No. 2 .

The petitioner is apprehending her arrest in a case instituted for the offence under Sections-341, 323, 307, 379, 313, 498A, 354, 506, 120-B of the IPC and Section-3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is mother-in-law of the victim. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. There is no medical examination report to



support the allegations made for the offence under Sections-307 & 313 of the IPC. Hence, no case under Sections-307 & 313 of the IPC is made out in the present case and rest of the offences are triable by the Magistrate. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner has relied upon the judgment of this Court in the case of **Md. Naimul 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 petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 learned A.C.J.M.-IV, Nawada in connection with Roh P.S. Case No. 30 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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