

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39891 of 2018

Arising Out of PS. Case No.-223 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Md. Mujib son of Md. Safique
2. Shamsu Nisha wife of Md. Mujib
3. Md. Maaz son of Md. Mujib
4. Md. Anash son of Md. Mujib, all resident of village Bhatt Bigha,
P.S.Barachatti, District Gaya

... .. Petitioner/s

Versus

1. State Of Bihar
2. Almas Rehan w/o Md. Khalid Saifullah, D/o Late Md. Aslam, Permanent
resident of village Bhatt Bigha, P.S. Barachatti, District Gaya, at present
residing at Mohalla Baniya Pokhar near Railway Cinema, P.S. Civil Line,
District Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin
For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 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.

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 have 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 complaint case/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 learned S.D.J.M., Gaya in connection with Complaint case No.223 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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