

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42097 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Firoza Khatoon, Wife of Md. Saud,
2. Baby Sultana, Daughter of Md. Saud,
3. Shahidan Khatoon, Wife of Izharul Haque @ Md. Izharul Haque,
4. Guddiya @ Salma Khatoon, Daughter of Md. Saud,
5. Nazarul Islam @ Md. Najrul Islam @ Babua, Son of Md. Saud,
6. Md. Izharul Haque @ Izaharul Haque, Son of Md. Saud, All resident of Village- Kishunpur, Police Station- Kudhani, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 341, 307, 498A, 504/34 of the Indian Penal Code.

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

It has been submitted on behalf of the petitioners that the petitioners have got no antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to



petty family dispute. There is no medical examination report with regard to the offence under Section-307 of the Indian Penal Code. The rest of the offences are 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) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Mehasi P.S. Case No. 38 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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