

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48406 of 2018

Arising Out of PS.Case No. -9491 Year- 2017 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Subhan Mian, S/O Late Thag Mian.
 2. Riyaz Ansari, S/O Subhan Mian.
 3. Rubi Khatoon, W/O Subhan Mian. All are residents of Village- Tiwari Matihaniya, P.S. Bishambharpur, District-Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Kamrun Nesha, W/O Riyaz Ansari, D/O Safi Mian, R/V- Mishraoli, P.S. Kateya, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Javed Aslam, Advocate.

For the State : Mr. Manoj Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have falsely been implicated in the
present case due to petty family dispute. There is no allegation of
tampering with the witnesses alleged against the petitioners. The



petitioners are husband and in-laws of the victim. The informant and his family members are in habit of instituting similar cases against the petitioners and their family members. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-XV, Gopalganj, in connection with Complaint Case No. 9491/2017, Trial No. 2161 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)