

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13414 of 2018

Arising Out of PS. Case No.-594 Year-2017 Thana- NATHNAGAR District- Bhagalpur

1. Bibi Shakina, Wife of Md. Siraj,
2. Md. Siraj, Son of Marhum Tahir.
3. Bibi Gulshan, Wife of Md. Safdar.
4. Md. Safdar @ Md. Sabdar, son of Md. Faruk.
5. Bibi Keshwari @ Bibi Kishdhwari, Wife of Anwar.
6. Md. Anwar @ Md. Chhanguri, Son of Jhakko @ Md. Jhakko,
7. Md. Mumtaj, Son of Md. Siraj. All residents of Village-
Bhatoriya, P.S.- Madhusudanpur, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal
For the Opposite Party/s : SMT. VEENA RANI PRASAD.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 498A, 363/376(D), 120B of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing
torture and rape 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 are in-laws. No specific allegation has been levelled against petitioner nos. 1 to 6. They have falsely been implicated in the present case due to petty family dispute. 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 there is specific allegation of sexual offence against petitioner no. 7.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner no. 7. His prayer for bail is rejected.

Let the petitioners Nos. 1 to 6, 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 A.C.J.M., Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 594 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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