

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3697 of 2018

Arising Out of PS.Case No. -423 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Mojbullah Rayeen @ Mohan Rayeen, Son of Late Md. Suleman Rayeen,
 2. Ehsan Ali @ Ahsan Ali, Son of Mojbullah Rayeen,
 3. Yunus Miya @ Inus Miya, Son of Nabi Miya, All residents of Village-
Kawalpur Mai Sthan, P.S.- Sugauli, District- East Champaran.
- Petitioners

Versus

1. The State of Bihar.
 2. Sayida Fatma, Wife of Md. Irfan Ali, and daughter of Md. Alam,
resident of Mohalla- Kishun Bag, Mohammad Nagar, Gali No.1, Ward
No. 14, P.S.- Bettiah Town, District- West Champaran.
- Opposite Parties
- =====

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.
For the State : Mrs. Dr. Indihar Kumari , A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2018 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 Sections 323, 504, 498(A)/34 of
the IPC and ¾ of the D.P. Act.

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

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. 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 C.J.M., West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 423 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

