

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20300 of 2018

Arising Out of PS. Case No.-67 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Maksud Mian @ Maksud Miya, Son of Late Mahmad Miya,
 2. Ambeya Khatoon, Wife of Maksud Mian @ Maksud Miya, Both are resident of Village- Inarwa Lerha Pokhar, Ward No.1, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Afsana Khatoon, Wife of Nurul Hoda, Resident of Inrawa Larha Pokhara, P.S.- Adapur, District- East Champaran, Permanent address- Afsana Khatoon, D/o Md. Abbas, Resident of Village- Ghorasahan, Ward No.9, P.S.- Ghorashan, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar
For the Opposite Party/s : Mr. Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 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 and $\frac{3}{4}$ of Dowry Prohibition Act.

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 are father-in-law and mother-in-law respectively of the victim. They have falsely been implicated in the present case due to petty family



dispute. 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka, East Champaran in connection with Trial No. 3956 of 2017 (arising out of Complaint Case No. C-67 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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