

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21274 of 2018

Arising Out of PS.Case No. -1943 Year- 2017 Thana -GOPALGANJ COMPLAINT CASE District- GOPALGANJ

- =====
- 1. Hamida Khatoon, W/O Late Sanaullah Shah.
 - 2. Haidar Ali, S/O Late Sanaullah Shah.
 - 3. Aftab Alam @ Aftab Ali, S/O Late Sanaullah Shah.
 - 4. Md. Kaish @ Kaish Ali, S/O Late Sanaullah Shah.
- All are residents of Village- Sisai, Paithan Tola, P.S. Bhore, District-Gopalganj.
- 5. Guriya Khatoon @ Sahanaz Khatoon, D/O Late Sanaullah Shah and wife of Bullet Ali @ Seraj Ali.
 - 6. Ruksana @ Ruksana Khatoon @ Rukshar Khatoon, D/O Late Sanaullah Shah, W/O Murtuja Ali @ Md. Murtuja @ Md. Murtuja Alam. Both are residents of Village-Ratauli, P.S. Basantpur, District-Siwan.
 - 7. Jarina @ Jahrina Khatoon @ Yaharina Khatoon, W/O Haidar Ali.
 - 8. Chandani @ Sabrin @ Chandani Khatoon @ Sabrin Khatoon, W/O Aftab Alam @ Aftab Ali.
- Both are residents of Village-Sisai, Paithan Tola, P.S. Bhore, District-Gopalganj.

.... Petitioners

Versus

- 1. The State of Bihar.
- 2. Farjana Parveen, D/O Md. Irfan and wife of Mahtab Ali, R/V- Sisai, Paithan Tola, P.S. Bhore, District-Gopalganj, presently residing at Village-Harihas, P.S. Hussainganj, District-Siwan.

.... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Nityanand Mishra, Advocate.
For the State : Mr. Akhileshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 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 498(A) and 384 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 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. Gopalganj, in



connection with Trial No. 1499/2018, arising out of Complaint Case No. 1943 of 2017 (wrongly typed as year 14 in the impugned order), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

