

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18733 of 2018

Arising Out of PS. Case No.-5363 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Hamid Mian @ Hamid Mansuri son of late Subedar Mian
 2. Maimun Nesha wife of Hamid Mian Both are resident of village Khiriya, PS Bhorey, Dist - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lajima Khatoon wife of Noor Hasan resident of village - Khiriya, P.O. - Ckrwa, P.S. - Bhorey Dist - Gopalganj, present address D/o Jaleel Mian, resident of village - Chapiya Bagher, P.O. - Pipra Uttarpatti, P.S. - Khampar, Dist - Deoriya (UP).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey
For the Opposite Party/s : Mr. Anant Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 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.

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



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 A.C.J.M. XII, Gopalganj in connection with Tr. No. 360/2017 (arising out of Complaint Case No. 5363 of 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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