

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6240 of 2018

Arising Out of PS. Case No.-118 Year-2017 Thana- KHUTAUNA District- Madhubani

1. Md. Murtuza, Son of Md. Badruddin,
2. Hasbul Khatoon, Wife of Md. Murtuza, Both resident of Village-Jatahi,
P.S.- Khutauna, District-Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. ANAND MOHAN PRASAD MEHTA

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned counsels for the petitioners and State.

The petitioners being the parents of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 498A, 312 and 120B of the IPC.

The prosecution case, as per the written report of Shavnam Praveen dated 08.10.2017, submitted to the Station House Officer, Khutauna Police Station is to the effect that the informant was married with the petitioner on 08.04.2016. For some time, she was being treated well in the matrimonial house and thereafter, the further demand of dowry of Rupees One Lac and one Bullet motorcycle was made and due to non-fulfillment of the same, the informant was being tortured. On 17.07.2016,



all the accused persons, after snatching all the belongings of the informant, drove her out from matrimonial house. Thereafter, the issue was reconciled and the informant went to matrimonial house on 26.07.2016, but again, the accused persons started torturing her since the informant witnessed the illicit relation of her husband with her sister-in-law (Jethani). The husband of the informant in connivance with her sister-in-law administered medicine, as a result of which, three months' pregnancy of the informant got terminated. Subsequently, the issue was again reconciled and the informant went to matrimonial house on 22.12.2016, but on 07.02.2017, all the accused persons brutally assaulted and drove the informant out from matrimonial house.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant and her sister-in-law. Moreover, there is no medical report with regard to termination of pregnancy. The specific case of the informant's husband is that he divorced the informant on 22.09.2017 as per Muslim rites and payment of one time settlement amount was also made.

It is submitted by learned counsel for the informant that the Talaknama has been found to be forged. The informant denied the factum of Talak and accusation of torture is against entire in-



laws family.

Considering the fact that thrust of accusation is against the husband of the informant and the accusation of administering medicine is against the husband and sister-in-law of the informant, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-III, Madhubani in connection with Khutauna P.S. Case No. 118 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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