

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17199 of 2018

Arising Out of PS. Case No.-1118 Year-2008 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. Nazir Ali @ Nazid Ali Son of Late Wazid Ali, Resident of Village-Haidar Nagar Bhai Bigha, Police Station-Haidar Nagar, District-Palamu (Jharkhand).
 2. Hasaina Khatoon, Wife of Late Wazid Ali, Resident of Village-Haidar Nagar Bhai Bigha, P.S.-Haidar Nagar, District-Palamu (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Razia Khatoon, Wife of Nazir Ali @ Nazid Ali, Resident of Village-Haidar Nagar Bhai Bigha, P.S.-Haidar Nagar, District-Palamu (Jharkhand).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Mr. RANA RANDHIR SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-03-2018 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 husband 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 S.D.J.M., Dehri-on-Sone, Rohtas in connection with Complaint Case No. 1118/2008, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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