

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25719 of 2018

Arising Out of PS. Case No.-1364 Year-2014 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

1. Ahmad Raja Khan @ Ahmad Raja @ Rajas @ Raju, son of Md. Islam
2. Khushida Bibi, wife of Md. Islam
Both residents of village Sabnawa, P.O.- Koshiyara, P.S.- Md.ganj, District-
Gadwa (Jharkhand).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Samma Praveen, d/o- Md. Helal, wife of Ahmad Raja @ Ahmad Raja Khan
@ Raju, at present village Kaithi, P.O.- Konar, P.S.- Sheosagar, District-
Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 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 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., Rohtas at Sasaram in connection with Complaint Case No. 1364/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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