

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38454 of 2018**

Arising Out of PS. Case No.-293 Year-2017 Thana- NAWADAH COMPLAINT CASE  
District- Nawada

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1. Suleman Mian Son of Late Sadiq Mian  
2. Sabila Khatoon Wife of Suleman Mian Both residents of  
Madhurapur Tola - Islampur, P.S. - Kauwakole, District -  
Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.  
2. Sajda Khatoon Wife of Md. Aalam Ansari, D/o Israil Mian At Madhurapur  
Tola Islampur, P.S. Kauwakole, District - Nawada.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Niraj Kumar  
For the Opposite Party/s : Mr. Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      05-07-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 380, 504 of the Indian Penal Code and  $\frac{3}{4}$  of Dowry Prohibition Act but cognizance has been taken under section 498 of IPC and Section 4 of D.P. 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 in-laws. 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 Chief Judicial Magistrate, Nawada in connection with Complaint Case No. 293 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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