

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63191 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
- 1. Most. Rabeya Khatoon, Wife of Late Mansur Mian,
 - 2. Saddam Mian @ Saddam, Son of Late Mansur Mian,
 - 3. Hasnain Mian @ Hasnain, Son of Late Mansur Mian,
 - 4. Parvej Mian @ Parvej, Son of Late Mansur Mian,
 - 5. Jikaril Mian @ Jikarullah, son o fLate Kamruzama Mian,
 - 6. Antul Khatooon @ Hasina Khatoon, wife of Jikari Mian, All resident of Village- Ratanmala, Police Station- Bagaha, District- West Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Zainul Abedin, Advocate.

For the Opposite Party : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 498(A), 494,307 and 313
of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners tortured the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner nos. 1 to 4 are in-laws of the victim and petitioner nos. 5-6 are not family members of the victim. They are separate in mess and property from the husband of the victim. No offences under Sections 307 and 313 of the IPC were made out as there is no medical evidence to support the allegations made in the F.I.R. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned S.D.J.M. Sikarahana Motihari, East Champaran, in connection with Ghorasahan (Lakhaura) P.S. Case No. 282 of 2016, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

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