

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40702 of 2018

Arising Out of PS. Case No.-50 Year-2015 Thana- KANHauli District- Sitamarhi

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1. Taslim Rain son of Idrish Rain
 2. Saheb Rain son of Alim Rain
 3. Md. Jajul Rain @ Md. Bajul Rain son of Saheb Rain, All are residents of Village - Ramnagra, Tole - Rashulpur, P.S. Kanhauli, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Afsana Khatoon wife of Md. Jajul Rain, daughter of Md. Wajul Rain resident of Ramnagra, Tole - Rashulpur, P.S. - Kanhauli, District - Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 504, 498A/34 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 have falsely been implicated in the present case. 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. case No.50 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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