

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63411 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -MARKAHI District- KHAGARIA

- =====
1. Md. Safi Akhtar @ Saha, Son of Md. Akhtar.
 2. Md. Rafi Alam S/o Md. Moin , Both R/o Village- Marar South, P.S.- Morkahi, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party : Smt. Pronati Singh, 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 341, 323, 498(A) and 406/34 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 petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. 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 counsels 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. Khagaria, in connection with Morkahi P.S. Case No. 78 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

