

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61490 of 2018

Arising Out of PS.Case No. -4948 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Naubat Mian S/o-Kudrat Mian,
2. Sobratni Khatoon W/o-Naubat Mian,
3. Sairul Nisha @ Hasrun Nesha W/o-Tahir Mian, all are Resident of
Village-Jangaldharampur, Bishunpura, P.O. Kathkuiya, P.S. Padrona,
District-Kushinagar, U.P.

.... Petitioners

Versus

1. The State of Bihar.
2. Rukhsana Khatoon W/o-Seraj Ahmad D/o-Asha Mahammad, Resident of
Village-Purkhash Tola Laxmipur, Kachahari, P.O. Bodha Chhapar, P.S.
GopalPur, District-Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 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.

Allegation against the petitioners is of committing torture
upon the victim due to non-fulfillment 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 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 Additional Chief Judicial Magistrate-XI, Gopalganj in connection with C. Case No. 4948 of 2016, Trial No. 1994 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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