

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15313 of 2018

Arising Out of PS.Case No. -40 Year- 2017 Thana -MAHILA P.S. District- BANKA

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1. Bibi Jaibun, wife of Md. Saiyub Ansari.
 2. Md. Aslam @ Md. Ashalam, son of Md. Saiyub Ansari
 3. Bibi Sumiya @ Bibi Sumaiya @ Bibi Samaiya, wife of Md. Aslam @ Md. Ashalam, All Resident of Village- Saraiya, Police Station- Bandhua Kurawa (Baunsi), District- Banka.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Najmul Hodda, Advocate.

For the Opposite Party : Mr. Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since 24.12.2017 in a case for the offence registered under Sections 498(A), 341, 323, 504/34 of the IPC and ¾ of the D.P. Act.

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

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. 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 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, be released on 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 C.J.M. Banka, in connection with Banka Mahila P.S. Case No. 40 of 2017.

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(Sudhir Singh, J)