

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71760 of 2018

Arising Out of PS. Case No.-445 Year-2017 Thana- COMPLAINT CASE District- Supaul

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1. Abul Hussain, S/o Late Ahsan,
 2. Md. Jardish @ Jarsej Alam, S/o Abul Hussain,
 3. Bibi Ashiya w/o Abul Hussain,
 4. Shahnaj Begam D/o Abul Hussain &
 5. Niyamat Ali @ Md. Niyamat, S/o Md. Lookman,
- All are residents of village-Lalpur Goth, P.S. Birpur, District-Supaul.

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners, O.P. No. 2 and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A 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-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 and O.P. No. 2 , 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, Birpur at Supaul in connection with Complaint Case No. 445C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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