

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26204 of 2018

Arising Out of PS. Case No.-3555 Year-2014 Thana- SIWAN COMPLAINT CASE District-
Siwan

-
1. Shafqat Jamal, Son of Umar Ahmad,
 2. Salma Khatoon, Wife of Umar Ahmad, Both Resident of Village- Naushepur Saraiya, P.S.- G.B. Nagar, District- Siwan. At present Residing at Shahin Bagh F, 145/4 Abu Fazal Enclave Part- 2 Okhla, New Delhi- 110025.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Tarannum Afroz, wife of Wahadat Jamal, Resident of Babhanbara Tole Nausepur Saraiya, P.S.- G.B. Nagar Tarwara, District- Siwan. At present Daughter of Kashim Ansari Resident of Sarangpur, P.S.- G.B. Nagar Tarwara, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuri Lata
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 323, 498A, 406 of the Indian Penal Code and 3/4 of Dowry Prohibition Act, but cognizance has been taken under Sections 498A, 324 of the I.P.C. and 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 petitioner. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioners are named in the complaint case.

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 S.D.J.M., Siwan in connection with Complaint case No.3555 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

