

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28299 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- BISHWAMBHARPUR District-
Gopalganj

-
1. Subhan Mian Son of late Thag Mian
 2. Rubi Khatoon Wife of Subhan Mian
 3. Riyaz Mian@ Reyaz Alam@ Reyaz Ansari Son of Subhan Mian
- All are Residents of Village- Tiwari Matihaniya, Police Station-
Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kamrun Nesha Wife of Reyaz Mian @ Reyaz Alam @ Reyaz Ansari,
Daughter of Safi Mian Resident of Village- Mishraoli, Police Station- Kateya,
District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-05-2018 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-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that there
is no allegation of tampering of witnesses alleged against the
petitioners. 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, it is submitted that the petitioners
are named in the 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) with two sureties of the
like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate X, Gopalganj in connection with
Bishambharpur P.S. case No.42 of 2018, subject to the
conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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