

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23976 of 2018

Arising Out of PS. Case No.-89 Year-2017 Thana- MAHILA P.S. District- Saharsa

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1. Md. Khurshid @ Md. Khurshid Alam, Son of Md. Hasim,
 2. Rubeda Khatoon, Wife of Md. Khurshid @ Md. Khurshid Alam,
 3. Jabed @ Md. Jabed @ Md. Javed Alam, Son of Md. Khurshid @ Md. Khurshid Alam, All are resident of Village- Simari, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-05-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 324, 354B/34 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-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 petitioners. The petitioners are in-laws. They 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 Sri M. Kumar, Judicial Magistrate, 1st Class, Saharsa in connection with Mahila (Saharsa) P.S. Case No. 89 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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