

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17197 of 2018

Arising Out of PS. Case No.-15 Year-2017 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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1. Md. Fakhr Uddin @ Md. Fakruddin, Son of Late Md. Shahja Uddin,
 2. Nurjahan Khatoon, Wief of Md. Fakhr Uddin,
 3. Shabana Khatoon, Wife of Md. Shafique,
 4. Md. Chand, Son of Md. Fakhr Uddin,
 5. Rozi Khatoon, Daughter of Md. Fakhr Uddin, All resident of Village- Bazidpur, P.S.- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shbnam @ Pinki Khatoon, Wife of Md. Nasim Uddin, D/o Md. Asman, Resident of Village- Bazidpur P.s. and District- Sheikhpura at Naihar Milkichak, P.S. Barbagha, District- Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. RAJBALLABH SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 27-03-2018 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 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 petitioners. The petitioners are in-laws of the victim. 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 learned S.D.J.M., Sheikhpura in connection with Complaint Case No. 15(C)/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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