

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38463 of 2018

Arising Out of PS. Case No.-773 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Tayab Hussain Son of Daulat Hussain
 2. Sayara Khatoon Wife of Tayab Hussain Both are residents of Village - Jagtaoli, Police Station - Bhore, District - Gopalganj, At present resident of at Sector - 38 Near Ganesh Maidan Swastik Residency Flat No. 305 P.S. Nerul, New Mumbai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sabrun Khatoon Wife of Rustam Tayab Hussain @ Rustam Taiyab Hussain, Daughter of Hanif Mian Resident of Village - Karriya Thakurai Post Koila Dewa, Police Station Fulwaria, District - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323 and 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 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 learned A.C.J.M. XIII, Gopalganj in connection with Complaint Case No. 773 of 2017, Tr. No. 2046 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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