

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44676 of 2018**

Arising Out of PS.Case No. -959 Year- 2016 Thana -COMPLAINT CASE District- BANKA

=====

1. Md. Manjoor Alam @ Manjoor @ Md. Manjoor son of Md. Rafique  
2. Md. Rafique @ Rafique son of Jakruddin resident of village -  
Minnatnagar, Baliyas, P.O. Nanan Pair, P.S. Dhoraiya, District - Banka.

.... .... Petitioners

Versus

1. The State of Bihar.  
2. Fazila Khatoon wife of Md. Manjoor Alam resident of village -  
Minnatnagar, Baliyas, P.S. Dhoraiya, District - Banka at present daughter of  
Md. Sagir, resident of Village Babura, P.O. Makaita, P.S. Dhoraiya, District  
Banka.

.... .... Opposite Parties

=====

**Appearance :**

For the Petitioners : Mr. Brij Nandad Prasad  
For the Opposite Party/s : Mr. Ram Sevak Choudhary

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      24-07-2018      Heard learned counsel for the petitioners and learned APP for  
the State.

The petitioners are apprehending their arrest in a case  
registered under 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-fulfillment 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 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 Sub Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 959 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

