

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51890 of 2018

Arising Out of PS.Case No. -382 Year- 2017 Thana -COMPLAINT CASE District- SUPAUL

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1. Afroza Khatoon @ Rayeesa Khatoon, W/o Md. Habib Mian.
2. Khurshid Alam @ Khurshid S/o Md. Habib Mian, Both are resident of
Village- Pothia, P.S. Simraha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ashma Khatoon, W/o Md. Murshid D/o Md. Ibrahim, resident of
Village- Birpur, Ward No. 10, P.S.- Birpur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 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-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 Additional Chief
Judicial Magistrate, Birpur at Supaul in connection with
Complaint Case No. 382C of 2017, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

A.K.V./-

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