

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5301 of 2019

Arising Out of PS. Case No.-159 Year-2017 Thana- HATHWA District- Gopalganj

1. Rahim Mian aged about 60 years (Male) son of Late Juman Mian.
2. Majhar Ali @ Mojhar Hussain aged about 20 years (Male) son of Rahim Mian.
3. Maula Ali aged about 21 years (Male) son of Rahim Mian.
4. Nijboon Khatoon @ Najboon Nesha, aged about 19 years (Female) Daughter of Rahim Mian
5. Shaida Khatoon aged about 18 years, (Female) Daughter of Rahim Mian.
6. Anwari Khatoon, aged about 20 years (Female) wife of Lukman Mian.
7. Sameer Hussain aged about 21 years (Male) son of Lukman Mian.
8. Istyak Ali aged about 22 years (Male) daughter of Lukman Mian.
9. Sony Khatoon aged about 25 years (Female) daughter of Jahir Mian.
10. Md. Ali aged about 23 years (Male) son of Jahir Mian.

All are Resident of Village - Pakari, P.S. Barharia, District Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Hathwa P.S. Case No.159 of 2017 registered for the offences punishable under Sections 341, 323 and 498A/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioners in the present case are said to be the family members of the husband of the informant. It is alleged that the marriage of the informant was performed with one Moharam



Mia on 05th May, 2015 in accordance with Muslim Rights and Customs and sufficient dowry in form of cash and ornaments were given to her husband but his husband and family members were not satisfied with the dowry and they were torturing the informant and had also attempted to pour kerosine oil on her body but she was saved by her father who reached at the spot at the nick of time.

Learned counsel submits that it is a case of false implication of the entire family members who are related to the husband. Submission is that the petitioner no.1 is the father-in-law, whereas, petitioner nos.2 to 5 are the younger brother-in-law and sister-in law of the informant and petitioner nos.6 to 10 are the near relatives of the husband of the informant.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances wherein these petitioners are said to be the father-in-law, Devar, Nanad and other relatives of the family of the husband of the informant and there are general and omnibus allegations against all of them, this Court is willing to extend the privilege of anticipatory bail to these petitioners. Let in case of arrest or surrender of the petitioners within a period of four weeks from today, the



abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Hathwa P.S. Case No. 159 of 2017, subject to the condition that petitioner no. 1 who is the father-in-law of the informant shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. All the petitioners shall abide by the conditions prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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