

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4117 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- MAHESI District- East Champaran

1. Guddu Khan, aged about 46 years, Gender-Male, Son of Late Sulman Khan Resident of Mirzapur Idgah, P.S.- Mehshi, District- East Champaran.
2. Sahima Pravin @ Shashida Begum @ Sahina Pravin, aged about 42 years, Gender-Female, Wife of Guddu Khan, Resident of Mirzapur Idgah, P.S.- Mehshi, District- East Champaran.
3. Imran Khan, aged about 29 years, Gender-Male, Son of Guddu Khan, Resident of Mirzapur Idgah, P.S.- Mehshi, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 363, 376D and 506/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Salima Khatoon, dated 18.10.2018, submitted to the Station House Officer, Mehshi Police Station, is to the effect that on 05.10.2018, the daughter of the informant, Gulbasa Khatoon, aged about 22 years was kidnapped by co-accused Irfan Khan and on promise to marry her, he used to establish physical relationship with her,



but subsequently, he made dowry demand of Rs. 5 lacs and due to non-fulfillment of the same, he refused to marry the daughter of the informant. It is alleged against the petitioners, being the parents and brother of the co-accused Irfan Khan, that they assaulted the daughter of the informant and on 15.10.2018, left her at Mahesi bus stand and asked her to go home.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against co-accused Irfan Khan and the petitioners have been roped in the present case since they happen to be the parents and brother of the co-accused Irfan Khan.

Learned counsel for the informant submits that the victim in her statement recorded under Section 164 Cr. P.C., has also alleged to have been tortured by the petitioners.

Considering the fact that specific accusation of kidnapping and ravishing the daughter of the informant has been alleged against the co-accused Irfan Khan, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, East Champaran at Motihari in connection with Mehshi P.S. Case No. 363 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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