

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12408 of 2019

Arising Out of PS. Case No.-938 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Noor Saida Khatoon Wife of Late Abdul Manan
 2. Tetari Khatoon @ Tetar Khatoon Wife of Mustafa Mian
 3. Sheikh Musataque @ Mustaque Alam Son of Abdul Manan, all of Village - Narayanpur, P.S.- Thawe, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar and Anr Bihar
2. Sahima Khatoon w/o Sheikh Musataque D/o Sheikh Nabi Hasan, R/o Vill - Narayanpur, P.S. - Thawe, Dist - Gopalganj, at present Village - Barari Harkesh, P.O. - Manbodh Parsauni, P.S.- Uchakagaon, Dist- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 506 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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 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.

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) with two sureties of the like amount each to the satisfaction of learned Addl. C.J.M. IX, Gopalganj in connection with Trial No.2432 of 2018 arising out of Complaint case No.938(c) of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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