

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6745 of 2019

Arising Out of PS. Case No.-433 Year-2018 Thana- SUGAULI District- East Champaran

1. Amir Haidar @ Amir Mian, aged about 60 years, male, Son of Late Israil Mian
2. Rasool Bano, aged about 58 years, female, Wife of Amir Haidar @ Amir Mian
3. Saida Khatoon, aged about 33 years, Female, Wife of Afsar Ali
All Resident of village- Khorha, P.S- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners, being the parents and sister of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498A and 313/34 of the Indian Penal Code and Section 3 and 4 of the D.P. Act.

The prosecution case as per the written report of Kanija Khatoon dated 23.10.2018 submitted to S.H.O., Sugauli Police Station is to the effect that the informant was married with Md. Afzal on 06.06.2009, and subsequently, she was blessed with three children, but after sometime, further dowry demand of a scorio vehicle was made and due to non-fulfillment of the



same, torture was inflicted upon the informant. Thereafter, the parents of the informant tried to pacify the issue, but all went in vain. It is further submitted that in July, 2018, she became pregnant, but the accused persons got her pregnancy terminated by giving her medicines, as a result, she began to remain sick. Ultimately, on 12.10.2018, the accused persons snatched all the belongings of the informant and drove her out of the matrimonial house.

It is submitted by learned counsel for the petitioners that thrust of accusation is against the husband of the informant and the demand of further dowry after so many years of marriage seems unreasonable and unbelievable. It is further submitted that the accusation of getting the pregnancy terminated against all the accused persons is omnibus and general, as it is not being corroborated by any medical report.

It is submitted by learned APP for the State that the petitioners are named in the FIR and there is specific accusation against them.

Considering the fact that the thrust of accusation is against the husband of the informant, coupled with the accusation of termination of pregnancy is not being corroborated by any medical report brought on record, let the



above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **CJM, East Champaran, Motihari** in connection with **Sugauli P.S. Case No. 433 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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