

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24525 of 2019

Arising Out of Case No.-1288 Year-2017 WEST CHAMPARAN COMPLAINT District-
West Champaran

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1. MD. MUNNA @ EZAZ ALAM @ EZAZ AHMAD Son of Late S.K. Alam @ Manjar Alam Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 2. Nasrullah @ Nasrullah Khan Son of Late Iftekhhar Khan Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 3. Ehsanul Haque @ Hesamul Haque @ Hesamul Son of Late Zaimul Abedin Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 4. Md. Ali Son of Noor Mohammad Khan Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 5. Anjum @ Anjum Ara Wife of Nasrullah Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 6. Shahin @ Shahina Parween Wife of Md. Ali Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 7. Zakia @ Zakiya Khatoon Wife of Hesamul Haque Resident of Village - Narainpur, P.S.- Ram Nagar, Bettiah, District - West Champaran
 8. Md Neyaz Alam @ Neyaz Ahmad @ Md Neyaz Ajlam Son of Late S.K. Alam @ Manzar Alam Resident of Ganj No 2, Behind Liberty Cinema Bettiah, P.S.- Bettiah Town, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nuri Khatoon Wife of Faiyaz Alam, D/O- Noor Alam Resident of Narainpur, Ward No 8, Ram Nagar, P.S.- Ram Nagar, District - West Champaran, At present residing in Mohalla - Kali Bagh, Ward No 12, Bettiah, P.S.- Bettiah Town, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint



case No. 1288C of 2017 for the offences allegedly committed by the petitioners under Section 498A, 406, 420 of the IPC in which cognizance has been taken u/s 498A of the IPC and u/s 4 of Dowry Prohibition Act.

The complainant named the petitioners and alleged that all the accused persons subjected her to physical and mental torture on account of non fulfillment of additional demand of dowry. She further alleged that her husband taken her to Delhi where she found her husband having extra marital relation with a woman, Pramila Devi. Her husband thereafter assaulted her and drover her out from the house and she is residing in the house of her parents.

The learned counsel for the petitioners submits that petitioners are in-laws of the complainant. In fact no allegation is made against the petitioners that petitioners ever tortured the complainant for any demand of dowry. The complainant earlier filed Ram Nagar P.S. case No. 81 of 2018 against Nasrullah Khan and others alleging therein that while she had gone along with her mother and sons to look after her field the accused persons came and assaulted her and they were trying to take her to their house forcibly. It is further submitted that petitioners also lodged Ram Nagar P.S. case No. 82 of 2018. In fact the



wife is residing in her Maika and she got extra marital relation. She does not want to live with her husband and whenever husband made persuasion to bring his wife she used to file frivolous case.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners are in-laws of the complainant, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, West Champaran, Bettiah in connection with Complaint case No. 1288 C of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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