

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23386 of 2019

Arising Out of PS. Case No.-738 Year-2018 Thana- COMPLAINT CASE District- Araria

1. MD. ROUF @ ABDUL RAUF S/O Late Siddique, Resident of Village- Duba P.S.- Jokihat, District- Araria.
2. Md. Wadood, S/O Late Siddique, Resident of Village- Duba P.S.- Jokihat, District- Araria.
3. Bibi Murshida @ Murshida, W/O Md. Wadood, Resident of Village- Duba P.S.- Jokihat, District- Araria.
4. Bibi Ashma @ Aashma, D/O Md. Wadood, Resident of Village- Duba P.S.- Jokihat, District- Araria.
5. Md. Ajhar @ Md. Ajharuabb S/O Md. Wadood, Resident of Village- Duba P.S.- Jokihat, District- Araria.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Bibi Sadiya, W/O Md. Tauhid, Resident of Village- Duba, P.S.- Jokihat, District- Araria. At Present -D/o Md. Asfaque, Resident of Village- Harwa, P.S.- Palasi, District- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-04-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 738C of 2018 for the offence punishable under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It has been argued that the petitioners No. 1 and 2 are brothers of the husband of the complainant, whereas petitioner No.3 is the wife of petitioner No.2. Petitioners No. 4



and 5 are daughter and son of petitioner No.2. All of them have been implicated in the case only because they are related to the husband of the complainant.

It is being argued that matrimonial dispute is the background for which the complaint case has been lodged.

Be that as it may, case for grant of anticipatory bail is made out. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail 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 S.D.J.M., Araria, in Complaint Case No. 738C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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