

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75001 of 2018

Arising Out of PS. Case No.-238 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Jafirul @ Jafirul Nisha, Wife of Md. Ijrail, Resident of Village- Akhata, P.S.-
Bairganja, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ruhi Praveen, Wife of Md. Aikhlakh Husaain, Daughter of Md. Firoz,
Resident of Mohalla- Kala Mandir, Shankar Chauk, Laheripatti, ward No.18,
P.S. and District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mrs. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner being the mother of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the IPC.

The prosecution case, as per the complaint petition is to the effect that the marriage of the complainant with the son of the petitioner was performed on 09.01.2015. Thereafter, the complainant was blessed with a female child, but subsequent to the marriage, further demand of dowry of motorcycle was made



and for non-fulfillment of the same, torture was inflicted upon the complainant. Ultimately, the complainant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner is the mother the husband of the complainant. Thrust of accusation is against the husband of the complainant. It is further submitted that the accusation against the petitioner is omnibus and general and the husband of the complainant has been granted bail.

It appears that the bail application of the petitioner has been rejected by the learned Sessions Judge for non-prosecution since the petitioner had consequently defaulted for two occasions.

Learned APP submits that after finding the prima facie case, the cognizance has been taken against the petitioner.

Considering the thrust of accusation against the husband of the complainant and the petitioner being a lady, let the above named petitioner 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) with two sureties of like amount each to the satisfaction of learned SDJM, Sadar,



Sitamarhi in connection with Complaint Case No. C-1-238 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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