

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49324 of 2019

Arising Out of PS. Case No.-492 Year-2018 Thana- BARACHATTI District- Gaya

1. ZINAT PARWEEN @ ZINNAT PARWEEN Daughter of Md. Rafique Alam @ Rafik Miya Resident of Village- Nadarpur, P.S.- Barachatti, District- Gaya.
2. Md. Modasir Alam @ Md. Modassir @ Modasir Alam Son of Md. Rafique Alam @ Rafik Miya Resident of Village- Nadarpur, P.S.- Barachatti, District- Gaya.
3. Md. Mojakkir Alam @ Md. Mojakkir @ Mojakkir Alam Son of Rafique Alam @ Rafik Miya Resident of Village- Nadarpur, P.S.- Barachatti, District- Gaya.
4. Md. Rafique Alam @ Md. Rafique Son of Md. Rajalli Miyan. Resident of Village- Nadarpur, P.S.- Barachatti, District- Gaya.
5. Kuraisa Khatoon Wife of Md. Rafique Alam @ Rafik Miya Resident of Village- Nadarpur, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2019 Learned counsel for the petitioners states that petitioner no. 3 has been arrested during pendency of this application.

This application, to the extent it relates to petitioner no. 3, is dismissed.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barachatti P.S. Case No. 492 of 2018, disclosing the offence



under Sections 498-A, 323/34 of the Indian Penal Code.

Petitioner no. 1 is the sister, petitioner no. 2 is brother, petitioner no. 4 is father and petitioner no. 5 is mother of the husband of the informant.

Learned counsel appearing on behalf of the petitioners has submitted that because of matrimonial discord between the informant and co-accused Taukir Alam, these petitioners have been implicated, who are related to Taukir Alam. He contends that there is no specific allegation against these petitioners nor there could be any reason for making allegation against these petitioners of demand of dowry or torture therefor.

Considering the facts and circumstances, this application is allowed. Let petitioners no. 1, 2, 4 and 5, 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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned ACJM, Sherghati, Gaya in Barachatti P.S. Case No. 492 of 2018, subject to the condition 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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