

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47000 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA P.S. District- Siwan

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1. SHANDAR ABBAS Son of Late Sayeed Muntazir Hussain, Resident of Village - Gopalpur, P.S. - Hussainganj, District - Siwan.
 2. Misam Abbas Son of Late Sayeed Muntazir Hussain, Resident of Village - Gopalpur, P.S. - Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sayeed Saleha Khatoon @ Minni Daughter of Late Sayeed Aehtesham Ali, Resident of Village - Bhikhpur, P.S. - Siswan, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Pandey
For the Opposite Party/s :	Mr.Ramesh Chandra
	Mr. Prashant Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Siwan Mahila P.S. Case No. 23 of 2019 registered for offence punishable under sections 498(A)/313 of the Indian Penal Code section 3/4 of Dowry Prohibition Act.

The marriage of the victim was solemnised with one Saiyad Forat Abbas in 2017. After Rukshad, when the victim went to her Sasural, the family members started raising voice that low quality of material was given to them by her parents and they also demanded dowry of Rs. 5,00,000/-(five



lakhs). They used to tease. They also used to filthy language by taking name of her parents. It has been alleged that the victim was also assaulted by the family members including the female members of her husband and after some time, she went to Mumbai and on 26.01.2019 at 9:00 am, in the morning, Shandar Abbas poured hot water, which was kept for bath, which caused injury at her different places.

It has been submitted that there is a direct allegation against Shandar Abbas who caused burn pouches in the body of the victim so his prayer for bail should be rejected, but from the F.I.R. it appears that the incident has taken place in Mumbai and there is no injury report attached with the FIR and the entire family members have been made accused in the present case.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No. 23 of 2019, subject to the conditions as



laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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