

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48717 of 2019

Arising Out of PS. Case No.-183 Year-2016 Thana- PUPRI District- Sitamarhi

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1. MD. JAFIR Son of Abdul Halim @ Late Mohammad Haleem
 2. Akbari Khatoon wife of Md. Jafir
 3. Md. Amir @ Aamir Hussain Son of Md. Jafir
All residents of Village- Belmohan, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rummana Khatoon Wife of Md. Yasin @ Md. Yasir Resident of Village- Belmohan, P.S.- Pupri, District- Sitamarhi. presently residing her parental home at village- Reorha, P.S.- Jaley, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-08-2019 The petitioners apprehend their arrest in connection with Pupri P.S.Case No. 183 of 2016 registered under Sections 307,323,341,379 and 498A of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioners is that petitioners along with other accused persons demanded dowry of Rs. 5 lacs in cash and a car from the informant and her family members and due to non-payment of same, she was being tortured mentally and physically by the petitioners and others.

Learned counsel for the petitioners submits that petitioner no. 1 is father-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is brother-in-law of O.P.No. 2. Learned counsel



further submits that the police, after investigation, submitted final form against the petitioners not sending them for trial, however, learned Magistrate differing with the police report, took cognizance against the petitioners. Learned counsel further submits that husband of O.P.No. 2 has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.09.2018 passed in Cr.Misc. No. 57722 of 2018.

After having heard learned counsel for the parties and taking into consideration the fact that after investigation, the police has submitted final form not sending the petitioners for trial and further that husband of O.P.No. 2 has been granted bail, as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Pupri P.S.Case No. 183 of 2016; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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