

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74974 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- MAHILA P.S. District- Madhubani

1. MD. MUSTAFA Son of Sidhque Nadaf @ Mustafa Mansur Resident of Village - Dhanga East, Ward No. 13, P.S.- Arer, Distt - Madhubani
2. Kurisha Khatoon Wife of Md. Mustafa @ Mustafa Resident of Village - Dhanga East, Ward No. 13, P.S.- Arer, Distt - Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Yasmin Khatoon Wife of Md. Kalam, D/o Md. Moin Resident of Village - Bhelwa Tola, Jaynagar, ward no. 17, P.S.- Jaynagar, Distt - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Bhagat
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-11-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mahila PS (Madhubani) case no. 54 of 2019 registered for the offences punishable under Sections 323, 341, 498A/34 of Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having tortured the informant on account of non-fulfilment of the demand for dowry.

The learned counsel for the petitioners submits that the petitioners are the mother-in-law and father-in-law of the victim girl and they are living separately from their son, hence there is no



occasion for them to torture the informant. It is further submitted that the husband of the informant has already filed a case for restitution of conjugal rights before the learned court of Principal Judge, Family Court, Madhubani. Lastly, it is submitted that the petitioners are having a clean antecedent and in case, the privilege of anticipatory bail is granted to them, they would definitely join investigation, whenever they are called upon to do so.

Having regard to the facts and circumstance of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Madhubani in connection with Mahila PS (Madhubani) case no. 54 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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