

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63851 of 2019

Arising Out of PS. Case No.-307 Year-2019 Thana- SHERGHATI District- Gaya

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1. MD. TAMANNA Son of Md. Mustaque Resident of Mohalla-Tank Road, Karol Bagh, P.S-Prasad Nagar, New Delhi.
 2. Pappu @ Pappu Mian Son of Md. Mustaque Resident of Mohalla-Tank Road, Karol Bagh, P.S-Prasad Nagar, New Delhi.
 3. Neyaz Hashmi @ Md. Hasami Son of Md. Mustaque Resident of Village-Rahman Nagar, P.S-Sherghati, District-Gaya.
 4. Md. Usman @ Usman Son of Md. Mustaque Resident of Mohalla-Tank Road, Karol Bagh, P.S-Prasad Nagar, New Delhi.
 5. Md. Sidique @ Sadique Raza Son of Md. Mustaque Resident of Village-Rahman Nagar, P.S-Sherghati, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazia Parveen Wife of Syed Md. Isteqhar Alam @ Rizvi Resident of Mohalla-Shumali, P.S-Sherghati, District-Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Ataul Haque
For the State	:	Mr.Anil Prasad Singh, APP
For the Informant	:	Mr. Shailesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 498(A), 504, 506 and 34 of the Indian Penal Code, registered in connection with Sherghati P.S.Case No. 307 of 2019.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the brothers of the



informant's husband. There is case and counter case between the parties as petitioner no.3 had lodged Shergathi P.S.Case No. 306 of 2019 against the informant's side. It is further submitted that petitioner nos. 1 and 2 are living separately from the informant. The petitioners claim clean antecedents.

4. Learned APP, assisted by the learned counsel for the informant, appearing suo motu, has been heard.

5. The informant opposes the petition, submitting that the petitioners have tortured her and have demanded rupees two lakh as dowry.

4. Be that as it may, in the event of petitioners' arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioners 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 learned A.C.J.M. Shergahti,gaya in connection with Sherghati P.S.Case No. 307 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any



similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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