

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66633 of 2019

Arising Out of PS. Case No.-202 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Shamshuddin Alam @ Shamshuddin, Aged about 51 years, Male, Son of Abdul Qayaum, Resident of Village Takiya par Ghatera, P.S. Guraru, District Gaya.
 2. Shahjehan Khatoon, Aged about 46 years, Female, W/o Shamshuddin Alam, Resident of Village Takiya Par Ghatera, P.S. Guraru, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Salma Praveen, Aged about 24 years, Female, Wife of Md. Salman Alam @ Salman Ansari, D/o Ebrar Alam, Resident of Village Johandhi, P.S. Banke Bazar, District Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-10-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No.202/18 for the offences allegedly committed under Sections 323, 504, 341, 498A, 316, 506 and 379 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The complainant alleged that after her marriage on 18.04.2017 with Salman Ansari, she went to her in laws house but only after 2-3 months, the accused put forth additional demand of dowry and demanded Rs.5,00,000/-. Due to non-fulfillment of additional demand of dowry, all the accused



persons brutally assaulted her causing pre-termination of her pregnancy. It is further alleged that in the year 2018 also the complainant lodged the case and on such on 04.02.2018 the Officer-in-charge called the accused persons including the petitioners and the petitioners executed bond but only after one month again the petitioners and their son, husband of the complainant, started subjecting her physical and mental torture.

Learned counsel for the petitioners submits that the petitioners are father-in-law and mother-in-law of the complainant. No specific allegation of demand of dowry and torture is made against the petitioners. The complainant herself does not want to live with her husband and a *panchayati* was held in Gram Kutchery. The Gram Kutchery directed the complainant to accompany her husband and on account of such dispute between the husband and the wife, the complainant filed the present case making false allegation and implicated all the members of the family.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioners and the fact that the petitioners are father-in-law and mother-in-law of the complainant, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four



weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati, Gaya in connection with Complaint Case No.202/18, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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