

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80218 of 2019

Arising Out of PS. Case No.-437 Year-2019 Thana- AMARPUR District- Banka

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1. Bibi Hoda Khatoon @ Bibi Halsas @ Aajra Khatoon @ Bibi Halsas Khatoon, Female, aged about 61 years, Wife of Md. Majid, Resident of Village - Shobhanpur, Katoriya, P.S.- Amarpur, District- Banka.
 2. Bibi Sureyaa @ Suraiya Bano @ Bibi Saisma, aged about 39 years, Female, Wife of Md. Iqbal, Resident of Village - Shobhanpur, Katoriya, P.S.- Amarpur, District- Banka.

... .. Petitioners

Versus

1. The State Of Bihar.
2. Bibi Khurshirda Khatoon, aged about 23 years, Female, Wife of Md. Shakil Raza, D/O - Md. Mahmood Presently residing at Village - Khaja Nagar (Puraini), P.S.- Jagdishpur, District- Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Jeetendra Narayan, Advocate.
For the Opposite Party : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A) of the IPC, ³/₄ of the D.P. Act and Section 4 of the Muslim Women (Protection of Rights on Marriage Act), 2019.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the mother-in-law and petitioner no. 2 is the sister-in-law (Nanad) of the victim. They are separate in mess and property from the husband of the victim. They have got no concern with the alleged occurrence. The case is triable by the Magistrate. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, in connection with Amarpur Case No. 437 of 2019,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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