

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6125 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- MAHILA PS District- Darbhanga

1. AFIYA BEGUM Wife of Mohammad Noorul Huda @ Nurul Huda Resident of Village - Balha, P.S.- Kamtaul, District- Darbhanga, Present Residing at - A-36, 2nd Floor D.D.A. Colony, Makki Masjid, P.S.- Welcome Police Station, New Zafrabad, Delhi, East Delhi- 110032
2. Mohammad Nurul Huda @ Nurul Huda Son of Late Mohammad Hafiz Abdul Hasan @ Late Md.Hafiz Abdul Hasan Resident of Village - Balha, P.S.- Kamtaul, District- Darbhanga, Present Residing at - A-36, 2nd Floor D.D.A. Colony, Makki Masjid, P.S.- Welcome Police Station, New Zafrabad, Delhi, East Delhi- 110032
3. Shagufta Noor @ Shagufta @ Shagufta Naaz Wife of Mozammil Hassan Resident at M 157, Azad Apartment, Plot no. 111, I.P., Extension, Shakarpur, P.S.- Madhu Bihar, Gandhi Nagar, East Delhi, Delhi-110092
4. Mozammil Hassan Son of Shadrul Hasan Resident at M 157, Azad Apartment, Plot no. 111, I.P., Extension, Shakarpur, P.S.- Madhu Bihar, Gandhi Nagar, East Delhi, Delhi-110092

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 379, 377, 498(A), 504, 506 and 494/34 of the Indian Penal Code including Section 3/4 of the Dowry Prohibition Act, registered in connection with Mahila P.S. Case No. 49 of 2019.



3. It is submitted that the petitioners have been falsely implicated merely because they happen to be variously related to the husband of the informant. It is submitted that accusations of demand of dowry and inflicting torture are general and omnibus. The petitioners are admittedly living separately from the informant and her husband. It is therefore submitted that they had no concern with their day-to-day matters. The petitioners claim clean antecedents.

4. Learned APP assisted by the informant has been heard.

5.. 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 S.D.J.M., Darbhanga in connection with Mahila P.S. Case No. 49 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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