

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11278 of 2020**

Arising Out of PS. Case No.-164 Year-2019 Thana- HABIBPUR District- Bhagalpur

1. Bibi Rounak Praveen D/o Md. Riyaz and W/o Md. Murshid Resident of Village- Shahjangi, Mansoori, P.S.- Habibpur, Dist.- Bhagalpur.
2. Bibi Roushan @ Bibi Raishan W/o Md. Riyaz Resident of Village- Shahjangi, Mansoori, P.S.- Habibpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.N.K.Agrawal, Sr.Adv.  
Mr.Pravin Kumar Sinha  
For the Opposite Party/s : Mr.P.K.Pandey,A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3. 27-08-2020 Heard learned senior counsel for the petitioners as well as learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in Habibpur P.S. Case No. 164 of 2019 (G.R. No. 4718 of 2019) registered for the offence under Sections 363, 365/34 of the Indian Penal Code.

In the F.I.R., the informant has alleged that his son lived in his *sasural* with his in-laws, but for the last nine months, neither he came to his home nor he is in *sasural*. It is further alleged that on 29-09-2019, when he went to *sasural* of his son, wife of his son told that his husband (son of informant) is in Bhiwandi, but despite search, the son of informant could not be found. It is further alleged by the informant that he has apprehension that petitioners have disappeared his son.

It is submitted on behalf of petitioners that petitioner



no. 1 is wife and petitioner no. 2 is mother-in-law of informant's son respectively and they have committed no offence and they have falsely been implicated in this case by the informant due to non-fulfillment of post marriage demand of dowry. It is further submitted that in retaliation of the present case, the petitioner no. 1 has also filed a complaint case, vide Complaint Case No. 1880 of 2019, against informant and others, which is kept as Annexure – 2 to the petition. Petitioners have clean antecedent.

Considering the aforesaid facts & circumstances as well as the fact that petitioner no. 1 is wife and petitioner no. 2 is mother-in-law of son of informant, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners be enlarged 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 Addl. Chief Judicial Magistrate - XII, Bhagalpur in connection with Habibpur P.S. Case No. 164 of 2019, G.R. No. 4718 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Singh, J.)**

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