

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18352 of 2020

Arising Out of PS. Case No.-113 Year-2018 Thana- INDUSTRIAL District- Bhagalpur

-
-
1. IBRAR HUSSAIN S/o Late Md. Aslam Residing at Village-Sufitola-Fatehpur, P.S.-Industrial, District-Bhagalpur.
 2. Rehana S/o Ibrar Hussain Residing at Village-Sufitola-Fatehpur, P.S.-Industrial, District-Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anjum Ara W/o Md. Asif Ibara Resident of Village-Safitola-Fatehpur, P.S.-Industrial Area, District-Bhagalpur, presently residing at House no.182, Sector-3/B, P.S-B.S City, District-Bokarao (Jharkhand).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Anita Kumari Singh
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 379, 498A, 504, 506/34 of the Indian Penal Code and Sections 3 & 4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing



torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case is triable by the Magistrate. The petitioners have 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 State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sub Divisional Judicial Magistrate, Bhagalpur in connection with Industrial P.S. case No.113 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will



furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

