

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26587 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- MAHILA P.S. District- Banka

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1. MD. IKRAM S/o Late Palti Resident of Village-Daliya, P.S.-Baunsi, District-Banka.
 2. Guljhan W/o Md. Ikram Resident of Village-Daliya, P.S.-Baunsi, District-Banka.
 3. Shekh Najmul S/o Md. Ikram Resident of Village-Daliya, P.S.-Baunsi, District-Banka.
 4. Shekh Nandu S/o Md. Ikram Resident of Village-Daliya, P.S.-Baunsi, District-Banka.
 5. Shahjadi D/o Md. Ikram Resident of Village-Daliya, P.S.-Baunsi, District-Banka.
 6. Yashmin D/o Md. Ikram Resident of Village-Daliya, P.S.-Baunsi, District-Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Rukhsar @ Bibi Kakhsar W/o Md. Tajmul Hussain @ Shekh Tajmul and D/o Md. Nejami Resident of Village-Sangrampur, P.S.-Amarpur, District-Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Arbind Kr. Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2020 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.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.



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

The petitioners are apprehending their arrest in a case registered under Sections 498(A)/34 of the Indian Penal Code.

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 petitioner No.1 is father-in-law, petitioner No.2 is mother-in-law, petitioner Nos.3 and 4 are brothers-in-law and petitioner Nos.5 and 6 are sisters-in-law of the victim. 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, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Banka in connection with Banka Mahila P.S. case No.61 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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