

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17208 of 2021**

Arising Out of PS. Case No.-91 Year-2020 Thana- MAHILA P.S. District- Patna

1. MD. SAHVAN @ MD. CHAND Son of Md. Lukman Resident of Mohalla - Gulshan Haidari, Lal Mandir, P.S. - Khajekalan, District - Patna.
2. ROKSANA PRAVEEN Wife of Md. Sahvan @ Md. Chand Resident of Mohalla - Gulshan Haidari, Lal Mandir, P.S. - Khajekalan, District - Patna.
3. MD. CHHOTU Son of Md. Sahvan @ Md. Chand Resident of Mohalla - Gulshan Haidari, Lal Mandir, P.S. - Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shyamal Prakash, Advocate  
For the Opposite Party/s : Mr. C. Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      08-04-2021                      Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 494, 504, 506/34 of the Indian Penal Code and Sections 3 and 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 has 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 petitioner No.1 is father-in-law, petitioner No.2 is mother-in-law and petitioner No.3 is brother-in-law of the victim. They are separate in mess and property from the husband 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 six 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 learned Judicial Magistrate, 1<sup>st</sup> class, Patna in connection with Mahila P.S. case No.91 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

**(Sudhir Singh, J)**

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