

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14358 of 2020

Arising Out of PS. Case No.-94 Year-2019 Thana- MAHILA PS District- Darbhanga

1. TUFAIL AHMAD KHAN Son of Late Kafil Ahmad Khan Resident of Village- Shansho, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.
2. Khustari Khatoon @ Khustari Khanam Wife of Tufail Ahmad Khan Resident of Village- Shansho, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.
3. Moni Khatoon @ Nuzrat Parween Daughter of Tufail Ahmad Khan Resident of Village- Shansho, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2021 Heard learned counsel for the petitioners and the State.

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

The petitioners are apprehending their arrest in a case registered under Sections 323, 324, 498A, 504, 506 and 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment 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 due to petty family



dispute. The petitioner Nos. 1, 2 & 3 are father-in-law, mother-in-law and sister-in-law of the complainant/informant respectively. All the offences are 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, 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 on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Mahila P.S. Case No. 94 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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