

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17444 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- MAHILA P.S. District- Rohtas

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1. MEENA KHATOON W/o Jamal Khan @ Jamaluddin Resident of Village- Kutumba, P.S.- Kutumba, Distt- Aurangabad.
 2. Jamal Khan @ Jamaluddin S/o Late Talim Khan Resident of Village- Kutumba, P.S.- Kutumba, Distt- Aurangabad.
 3. Hassan Khan S/o Jamal Khan @ Jamaluddin Resident of Village- Kutumba, P.S.- Kutumba, Distt- Aurangabad.

... .. Petitioners

Versus

1. The State of Bihar
2. Ishrat Perween D/o Reyazuddin Khan Resident of Village and P.S.- Tilauthu, Distt- Rohtas.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr.Uma Shankar Singh,Advocate
For the State	:	Mr.Akhileshwar Dayal,APP
For the O.P. No. 2	:	Mr.Dharmendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 04-01-2021 Heard learned counsel for the petitioners, Mr. Dharmendra Kumar Singh, learned counsel for the informant-O.P. No. 2 and Mr. Akhileshwar Dayal, learned APP Incharge for the State who is present in this case today.

Learned counsel for the petitioners submits that these petitioners are the mother-in-law, father-in-law and the younger brother of the husband (devar) of the informant-O.P. No. 2.

Petitioners in the present case are seeking pre-arrest bail in connection with Mahila P.S. Rohtas Case No. 41 of 2019 registered for the offences punishable under Sections 341, 323, 504, 506, 498(A)/34 of the Indian Penal Code.



Learned counsel for the petitioners submits that the marriage of O.P. No. 2 had taken place with the son of petitioner nos. 1 and 2 in the year 2009 and at this stage the FIR has been lodged alleging torture upon the informant for non-fulfillment of the demand of dowry. It is his submission that the allegations are only general and omnibus and these petitioners have been made accused in this case only because they happen to be the kith and keen of the husband of the O.P. No. 2.

Learned counsel for O.P. No. 2 has opposed the prayer for anticipatory bail of the petitioners, however, he along with learned APP submits that the thrust of allegations are against the husband of O.P. No. 2. Learned APP has informed this Court after going through the case diary that there are only general and omnibus kind of allegations against these petitioners.

In the given facts and circumstances of the case noticed hereinabove, considering the relationship of the petitioners with O.P. No. 2 and the submissions noted hereinabove, let in case of their arrest or surrender the petitioners above named within a period of four weeks from today in connection with Mahila P.S. Rohtas Case No. 41 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri. S.K. Mishra, Judicial Magistrate, Sasaram, Rohtas, subject to the



condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

