

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30743 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- SANHAULA District- Bhagalpur

1. Md. Kalimuddin @ Kalimuddin @ Kaila, Son Of Late Salaman, Resident Of Village- Palwa, P.S.- Sanhaula, District- Bhagalpur.
2. Bibi Sabila Khatton Wife Of Md. Kalimuddin @ Kalimuddin @ Kaila Resident Of Village- Palwa, P.S.- Sanhaula, District- Bhagalpur.
3. Md. Sahbaj @ Sahbaj @ Md. Sahbaj Alam, Son Of Md. Kalimuddin @ Kalimuddin @ Kaila, Resident Of Village- Palwa, P.S.- Sanhaula, District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-06-2021 Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners apprehend their arrest in a case registered

under Sections 498/34 of the Indian Penal Code and ³/₄ Dowry

Prohibition Act.

Informant has alleged in her written complaint that

she was married with Md. Nawab on 09.06.2020 and marriage

was of their own choice, however, after marriage her husband

and in-laws started demanding motorcycle and Rs. 2 lacs as

dowry.

It has been submitted on behalf of the petitioners

that petitioner no. 1 is father-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is brother-in-law of the informant and allegations against them are false and concocted. It has been further submitted that petitioners have no knowledge about the marriage and same was solemnized without consent of the petitioners. It has been further submitted that son of petitioner no. 1 is residing outside the State for his livelihood and he has no concern with petitioners. Petitioners have no criminal antecedents.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhagalpur, in connection with Sanhaura P.S. Case No. 139 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court

concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Rajiv/veena-

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