

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51534 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- MAHILA P.S. District- Sheohar

1. Husntara @ Husna Tara Khatoon @ Md. Husntara W/O Md. Hamdullah @ Md. Hamdulla R/O Village-Jhitakahi Tola Udai Chapra, P.O-Phulkahan, P.S-Shyampur Bhatanaha, District-Sheohar.
2. Asaveen Parveen @ Asmeen Begam D/O Md. Hamdullah @ Md. Hamdulla R/O Village-Jhitakahi Tola Udai Chapra, P.O-Phulkahan, P.S-Shyampur Bhatanaha, District-Sheohar.
3. Md. Hamdullah @ Md. Hamdulla S/O Late Shaikh Phajilat R/O Village-Jhitakahi Tola Udai Chapra, P.O-Phulkahan, P.S-Shyampur Bhatanaha, District-Sheohar.
4. Md. Ashfaque @ Md. Ashafak S/O Md. Hamdullah @ Md. Hamdulla R/O Village-Jhitakahi Tola Udai Chapra, P.O-Phulkahan, P.S-Shyampur Bhatanaha, District-Sheohar.
5. Md. Irfan @ Md. Irafeyan S/O Md. Hamdullah @ Md. Hamdulla R/O Village-Jhitakahi Tola Udai Chapra, P.O-Phulkahan, P.S-Shyampur Bhatanaha, District-Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Nasim Yahya, Advocate
For the State	:	Mr.Gauri Shankar Gupta, APP
For the informant	:	Mr.Anisur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant through virtual mode.

Counsel for the petitioners 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



connection with Sheohar Mahila P.S. case No.07/2021 registered under Sections 323, 498A/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-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 mother-in-law, petitioner No.2 is sister-in-law, petitioner No.3 is father-in-law and petitioner Nos.4 and 5 are brothers-in-law of the victim. The case is 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 and learned counsel for the informant, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sheohar in connection with Sheohar Mahila P.S. case No.07/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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