

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7491 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- MAHILA P.S. District- Bhagalpur

1. Imteyaz Azam @ Md. Imtiyaz Azam, aged about 45 years, Male, Son of Late Md. Sahdab Azam @ Late Md. Sahjahan, Resident of Mohalla-Barehpura, P.S.- Ishachak, District- Bhagalpur.
2. Bibi Sabnam Azam @ Sabnam Azam @ Tarana, aged about 35 years, Female, Wife of Imteyaz Azam @ Md. Imtiyaz Azam, Resident of Mohalla-Barehpura, P.S.- Ishachak, District- Bhagalpur.
3. Bibi Afsana Begam @ Afsana Begam, aged about 70 years, Female, Wife of Late Md. Sahdab Azam @ Late Md. Sahjahan, Resident of Mohalla-Barehpura, P.S.- Ishachak, District- Bhagalpur.
4. Bibi @ Zeba Hasin @ Baby, aged about 48 years, Female, Wife of Nasar Idrish @ Naso Resident of Mohalla- Barehpura, P.S.- Ishachak, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Dr. Manoj Kumar, Advocate.
For the Opposite Party	:	Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 323, 341, 498(A), 504, 506/34 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

The prosecution story, in brief, is that the accused



persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is the brother-in-law (Bhaisur), petitioner no. 2 is the sister-in-law (Gotani), petitioner no. 3 is the mother-in-law and petitioner no. 4 is the married sister-in-law (Nanad) of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances of the case, let 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 their personal bond to the satisfaction of the learned S.D.J.M.



Bhagalpur, in connection with Bhagalpur Mahila P.S. Case No. 04 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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