

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1900 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- RAGHOPUR District- Supaul

1. Md. Rahmat (M), age 32 years, S/O Md. Halim Sah, Resident of Village - Dharahara, Ward No. - 6, P.S. - Raghapur, District-Supaul.
2. Bibi Tetari (F), age 28 years, D/O Md. Islam Sah @ Md. Islam, Resident of Village - Dharahara, Ward No. - 6, P.S. - Raghapur, District - Supaul.
3. Bibi Jasso (F), age 25 years, D/O Md. Islam Sah @ Md. Islam, Resident of Village - Dharahara, Ward No. - 6, P.S. - Raghapur, District-Supaul.
4. Bibi Jarina (F), age 55 years, W/O Md. Islam Sah, Resident of Village- Dharahara, Ward No. - 6, P.S. - Raghapur, District - Supaul.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Akhouri Vipin Bihari Shrivastava, Advocate.
For the Opposite Party : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

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 341, 323, 326, 307, 498(A) and 379/34 of the I.P.C.

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 (Nandosi), petitioner nos. 2 and 3 are the sisters-in-law (Nanads) and petitioner no. 4 is the mother-in-law of the victim. They are separate in mess and property from the husband of the victim. They have got no concern with the alleged occurrence. Except for offence under Section 307 of the I.P.C., rests of the offences are 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



six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Birpur, Supaul, in connection with Raghopur P.S. Case No. 104 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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