

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5075 of 2022

Arising Out of PS. Case No.-463 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

-
1. ISHRAT JAHAN @ MUNNI KHATOON W/o Late Kamal Kuraishi R/o Mohalla- Madarsa Gali, Kumarh Toil, P.S.- Kankarbagh, Distt.- Patna
 2. Chand Kuraishi S/o Late Kamal Kuraishi R/o Mohalla- Madarsa Gali, Kumarh Toil, P.S.- Kankarbagh, Distt.- Patna
 3. Md. Mohsin Kuraishi S/o Late Kamal Kuraishi R/o Mohalla- Madarsa Gali, Kumarh Toil, P.S.- Kankarbagh, Distt.- Patna
 4. Firoz Kuraishi S/o Md. Sultan Kuraishi R/o Mohalla- , P.S.- Chowk Thana, Patna City, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sayed Imran Ghani, Advocate
For the Opposite Party/s	:	Ms. Sucheta Yadav, APP
For the Informant	:	Mr. Sakil Ahmed Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 498(A) and 34 of the Indian Penal Code and 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1 is mother-in-law, petitioner no. 2 and 3 are brother-in-law and petitioner no. 4 is also brother-in-law(Bahnoi) of the informant.



The learned counsel for the petitioners submits that informant alleged that she was married to Md. Naseem Kuraishi on 23.08.1990 and has a one-year-old daughter from a marriage and gift worth Rs. 7, 40,000/- was given at the time of marriage, it is next alleged that the accused persons, including the petitioners, started demanding 5 lakh after marriage by way of dowry and on non-fulfillment of the same assaulted the victim, further on 01.07.2021, on provocation of petitioner no. 1, the petitioner nos. 2, 3 and 4 assaulted on private parts and the husband gave triple talaq.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that allegation of assault is general and omnibus in nature, it is next submitted that no doubt some injuries were found on the informant but the injuries are simple in nature, it is also submitted that the dispute was basically between the husband and the wife but the entire family came to be implicated based on a general and omnibus allegation, it is also submitted that husband is in custody.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners, but are not able to meet the submission of the



learned counsel for the petitioners and the dispute was between husband and wife and the husband is in custody.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with East Champaran Town P.S. Case No. 463 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

