

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64093 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- KANGLI District- West Champaran

1. AZAD KHAN Son of Late Nek Mahammad Khan Resident of Village - Sabaithwa, P.S.- Kangli, District - West Champaran.
2. Inus Khan @ Yunus Khan Son of Late Fate Mahammad Khan Resident of Village - Sabaithwa, P.S.- Kangli, District - West Champaran.
3. Subhan Miya Son of Late Atursen Miya Resident of Village - Sabaithwa, P.S.- Kangli, District - West Champaran.
4. Ameena Khatoon Wife of Subhan Miya Resident of Village - Sabaithwa, P.S.- Kangli, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 342, 504, 506, 498A and 313 of the Indian Penal Code read with Sections $\frac{3}{4}$ of the D.P. Act.

Learned counsel for the petitioners submits that police after investigation submitted charge-sheet based on which cognizance came to be taken under Section 498(A) of the IPC and Sections 3 and 4 of the Dowry Prohibition Act.



Learned counsel for the petitioners submits that petitioner nos. 3 and 4 are persons with clean antecedent and petitioner nos. 1 and 2 have antecedent of one case and the informant/complainant alleges that she was married to Rahmat Miya on 22.04.2020 as they were in love and at the time of marriage, gifts were given as detailed in the F.I.R. After marriage, the informant was tortured both physically and mentally for demand of dowry of one Splendor motorcycle and was threatened that if the demand is not fulfilled, the husband will marry another girl. It is next alleged that on 15.07.2020 informant felt pain and her in-laws with conspiracy took her to MJK hospital for treatment but on the way she was taken to a lonely place and was forcefully administered medicine which led to miscarriage of her pregnancy and forcefully took signature on a blank paper. It is next alleged that her in-laws left the informant in her parental home and fled away

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the allegations are general and omnibus in nature, it is further submitted that petitioner no.1 and 2 are co-villagers, petitioner no.3 is cousin brother of the husband of the informant and petitioner no.4 is wife of the petitioner no.3.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 Court below 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 court below where the case is pending/successor court in connection with Kangali P.S. Case No. 82 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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