

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11846 of 2023

Arising Out of PS. Case No.-674 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. MD. ASHAFK @ RAJU @ MD. ASPHAK Son of Late Md. Murtuja R/V- Pandaul, P.s- Pandaul, Dist- Madhubani
 2. Md. Arman Son of Late Md. Murtuja R/V- Pandaul, P.s- Pandaul, Dist- Madhubani
 3. Mosomat Raushan Khatoon Wife of Late Md. Murtuja R/V- Pandaul, P.s- Pandaul, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nargish Khatoon Wife of Md. Mumtaz, Daughter of Taramudeen At present R/V- Khutauna P.S- Khutauna, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash Mr. Gagan Deo Yadav Mr. Rajesh Kumar
For the Opposite Party/s :		Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 323, 341, 498(A), 379, 504 of the Indian Penal Code and $\frac{3}{4}$ of D.P. Act.

The allegation against the petitioners is that they tortured the informant on the pretext of non-fulfillment of demand for dowry.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. Petitioners are the in-laws and family members of the informant. The husband of the O.P. No.2 has not been made accused in the present case. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 C.R Case No.674 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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