

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15300 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- MANIHARI District- Katihar

1. BIBI ASGARI WIFE OF HAJRAT KHAN R/O VILL.- MEDNIPUR, P.S.- MANIHARI, DISTT.- KATIHAR
2. LAILA KHATOON WIFE OF RAMJANI KHAN R/O VILL.- MEDNIPUR, P.S.- MANIHARI, DISTT.- KATIHAR
3. RAJA KHAN SON OF HAJRAT KHAN R/O VILL.- MEDNIPUR, P.S.- MANIHARI, DISTT.- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307, 498(A), 504, 506, 379, 447/34 of the Indian Penal Code.

Allegation against petitioners is of commission of torture and cruelty to the daughter of informant for dowry.

Petitioners no. 1 is mother-in-law, petitioner no. 2 is married sister-in-law (Nanad) and petitioner no. 3 is brother-in-law (Dewar) of the informant. It is submitted on behalf of petitioner that there is no specific allegation of demand of dowry and commission of assault against these petitioners. They are separate in mess and property and have got no concern with



the family affairs of informant and her husband. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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**.

Learned A.P.P. for the State has opposed the prayer for bail of petitioners.

However, considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar in connection with Manihari P.S. Case No. 116 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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