

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17345 of 2023

Arising Out of PS. Case No.-78 Year-2021 Thana- BHEJA District- Madhubani

-
-
1. ALAM @ ALAM SAH SON OF LATE HAFIJ @ LATE HAFIJ SAH
RESIDENT OF VILLAGE SAKRI SIVOTAR TOLA, P.S SAKRI,
DISTRICT MADHUBANI
 2. MEHRUN KHATOON WIFE OF ALAM @ ALAM SAH RESIDENT OF
VILLAGE SAKRI SIVOTAR TOLA, P.S SAKRI, DISTRICT
MADHUBANI
 3. NURI KAHTOON D/O ALAM @ ALAM SAH RESIDENT OF VILLAGE
SAKRI SIVOTAR TOLA, P.S SAKRI, DISTRICT MADHUBANI
 4. MD IMTIYAJ SAH SON OF ALAM @ ALAM SAH RESIDENT OF
VILLAGE SAKRI SIVOTAR TOLA, P.S SAKRI, DISTRICT
MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHAHIN PARVEEN D/O MD. NURUL HODA RESIDENT OF VILLAGE
- KHAJURI, PS- BHEJA, DISTRICT- MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mrs.Sharda Kumari

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, 379, 498(A), 504, 506/34 of the Indian Penal Code.

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

Petitioners no. 1 is father-in-law, petitioner no. 2 is mother-in-law, petitioner no. 3 is sister-in-law and petitioner no. 3 is brother-in-law 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, petitioners have 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. opposes 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 A.C.J.M. - II, Jhanjharpur, District - Madhubani in connection with Bheja P.S. Case No. 78 of 2021, corresponding to G.R. No. 1541 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

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

