

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19681 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- KHIJARSARAI District- Gaya

1. Sanzeeda Bibi Wife Of Haseen Khan Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya
2. Naushad Khan Son Of Haseen Khan Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya
3. Raushan Khatoon D/O Haseen Khan Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya
4. Gulnaz Khatoon Wife Of Shabbir Alam, D/O Haseen Khan Resident Of Village - Mandai, P.S. - Khizersarai, Distt. - Gaya. At Present Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya
5. Husne Ara Khatoon @ Husne Ara Majju Wife Of Murshid Alam D/O Haseen Khan Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya, At Present Resident Of Village - Batua, P.S. - Batua, Distt. - Palamu (Jharkhan)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naziya Praveen Wife Of Diljan Khan, D/O Safik Ahmad Resident Of Village - Saindih, P.S. - Khizersarai, Distt. - Gaya, At Present Residing At Village - Mandai, P.S. - Khizersarai, Distt. - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate.

For the Opposite Party/s : Mr. M. K. Nirala, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Virendra Kumar, learned counsel for the petitioner and learned APP for the State.

The Petitioners are apprehending their arrest in connection with Khizersarai P.S. Case No.360 of 2022, registered for the offences punishable under Sections 341, 323, 354(b)(c)(d), 504, 506, 509, 498(A)/34 of the Indian Penal Code



and under Sections 67, 67(A) of the Information Technology Act.

It is alleged that the marriage of the informant was solemnized with co-accused Diljan Khan in the year of 2019. Soon after the marriage, when the informant went to her matrimonial house, the petitioners started abusing her and demanded additional dowry. It is further alleged that the husband of the informant procured some nude photographs of the informant and later on made it viral in public domain. Further allegation has been made that on account of assault made by the husband of the informant, miscarriage has been done.

Learned counsel appearing on behalf of the petitioners submits that petitioner no.1 happens to be mother-in-law, whereas petitioner no.2 is brother-in-law and so far as petitioner nos. 3, 4 and 5 are concerned they are married sister-in-laws of the informant. He further submits that from the FIR, it is evident that save and except, the allegation of abusing there is no allegation against all these petitioners and the specific allegation has been leveled against co-accused Diljan Khan (husband). He next submits that the petitioner nos.1, 3, 4 and 5 are hapless lady and petitioner no.2 is brother-in-law and they all are residing on



different places and having no interaction with the informant as well as her husband. He lastly submits that all the petitioners are persons of fair antecedent.

On the other hand learned APP for the State vehemently opposes the bail application and submits that specific allegation has been leveled against the petitioners of torture and harassment.

Regard being had to the submissions made on behalf of the parties and considering the omnibus allegation leveled against the petitioners of abusing the informant, coupled with their fair antecedent, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Gaya, in connection with Khizersarai P.S. Case No.360 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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