

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23258 of 2023

Arising Out of PS. Case No.-1870 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Abri Khatoon, Female, aged about 51 years, W/O Md. Kalim, Resident of Village- Bhamra, P.S.- Kasba, District- Purnia.
 2. Shahjad @ Md. Shaahjad, Male, aged about 27 years, S/O Late Kalim, Resident of Village- Bhamra, P.S.- Kasba, District- Purnia.
 3. Bibi Shabnam @ Shabnam Khatoon, Female, aged about 24 years, W/O Shahjad, Resident of Village- Bhamra, P.S.- Kasba, District- Purnia.

... .. Petitioners

Versus

1. The State of Bihar.
2. Bibi Nazra, Female, W/O Md. Mazhar, D/O Late Kalim, Resident of Village- Lakhna, Ward No.- 9, P.S.- Kasaba, District- Purnia.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Md. Helal Ahmad, Advocate
For the State	:	Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 498(A) of the I.P.C.
and $\frac{3}{4}$ of the D.P. Act.

Allegation against the petitioners is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the mother-in-law, petitioner no. 2 is the brother-in-law (Bhaisur) and petitioner no. 3 is the sister-in-law (Gotni) of the victim. The case is triable by the Magistrate. The petitioners have further relied upon the 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.***

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with C.A. Case No. 1870 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



The petitioners are directed to co-operate during the trial. If the petitioners do not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioners.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

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