

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33215 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- BUNIYAD GANJ District- Gaya

1. MD. RIZWAN ALAM @ MD. RIJWAN WARSHI Son of Md. Sadik Miyan R/V- Head Manpur, Sheikh Toli, PS- Buniyadganj, Dist- Gaya
2. Afroj Gulshan Wife of Md. Rizwan Alam @ Md. Rijwan Alam @ Md. Rijwan Warshi R/V- Head Manpur, Sheikh Toli, PS- Buniyadganj, Dist- Gaya
3. Md. Raja Son of Md. Rizwan Alam @ Md. Rijwan Alam @ Md. Rijwan Warshi R/V- Head Manpur, Sheikh Toli, PS- Buniyadganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gulafasha Praveen @ Amul Khair Wife of Md. Gulam Warish , D/o Md. Rafik Jamali R/V- Head Manpur, Sheikh Toli, PS- Buniyadganj, Dist- Gaya and at present residing at village- Salempur PS- Muffasil, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard the parties.

Petitioners apprehend their arrest in connection with Buniyadganj PS Case No. 165 / 2022 (G.R. No. 2933 / 2022) dated 30-05-2022 registered under Section 341, 323, 504, 379, 498(A), 34 of the IPC.

Petitioner no. 1 is the father-in-law of the informant, petitioner no. 2 is the mother-in-law and petitioner no. 3 is brother in-law of the informant. As per the allegation, on 23-05-2022, the petitioner no. 1 called the informant for a talk of



compromise in connection with Buniyadganj PS Case No. 81 / 2020 and upon this the informant along with her family members went to the house of the petitioners where all the accused persons starting abusing the informant and also assaulted by fists and slaps. The informant was pressurized to withdraw the earlier case lodged by her bearing Buniyadganj PS Case No. 81 / 2020, failing which, she would be done away with.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case with oblique motive and the allegation is based upon concocted story. Referring to paragraph – 8 of the bail application, learned counsel submits that the husband of the informant i.e. the son of the petitioner nos. 1 and 2 has not been made accused in the present case and the son of the petitioner nos. 1 and 2 has been residing in his *sasural* along with the informant. Petitioners have no concern with the family affair of the informant and her husband but the petitioners are being harassed by the informant.

Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that petitioners are the father-in-law, mother-in-law and brother-in-law of the informant, I am inclined to grant



anticipatory bail to the petitioners.

Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VIII, Gaya in connection with Buniyadganj PS Case No. 165 / 2022 (G.R. No. 2933 / 2022) subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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