

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26127 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- PUPRI District- Sitamarhi

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1. Salim Nadaf S/O Madak @ Ahamd Resident Of Village- Kushail Ward No.- 13, P.S.- Pupri, District- Sitamarhi.
 2. Bifia Khatoon @ Bifiya Khatoon @ Vifiya Khatoon W/O Salim Nadaf Resident Of Village- Kushail Ward No.- 13, P.S.- Pupri, District- Sitamarhi.
 3. Md. Tubair Nadaf @ Md. Jubair Nadaf S/O Salim Nadaf Resident Of Village- Kushail Ward No.- 13, P.S.- Pupri, District- Sitamarhi.
 4. Kusaisa Khatoon @ Kuraisa Khatoon @ Kuraisi Khatoon W/O Md. Jubair Nadaf Resident Of Village- Kushail Ward No.- 13, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Raushan Khatoon W/O Jamshaid Nadaf, D/O Jakir Nadaf Resident Of Village- Kushail Ward No.- 13, P.S.- Pupri, District- Sitamarhi, At Present R/O Village- Azamgarh @ Azamgadh, P.S.- Dumra, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar, Advocate
For the Opposite Party/s	:	Mr.Rajesh Kumar, APP
For the O.P. No. 2	:	Mr. Pushpendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for O.P. No. 2.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498A, 504, 506/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Petitioner No. 1 is father-in-law, petitioner No. 2 is mother-in-law, petitioner No. 3 is *bhainsur* and petitioner No. 4 is gotni, of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners have 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 State and the O.P. No. 2, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pupri P.S. case No. 25/2023, 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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