

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35661 of 2023

Arising Out of PS. Case No.-372 Year-2022 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

-
1. Noorjahan @ Noorjahan Khatoon, Wife of Md. Motiur Rahman, Resident of village - Beshi Baijnathn, P.O. - Aurai, P.S. - Aurai, Distt. - Muzaffarpur, Pin Code - 843312 (Bihar).
 2. Md. Motiur Rahman, Son of Md. Rafique, Resident of village - Beshi Baijnathn, P.O. - Aurai, P.S. - Aurai, Distt. - Muzaffarpur, Pin Code - 843312 (Bihar).
 3. Md. Firoz, Son of Md. Motiur Rahman, Resident of village - Beshi Baijnathn, P.O. - Aurai, P.S. - Aurai, Distt. - Muzaffarpur, Pin Code - 843312 (Bihar).

... .. Petitioners

Versus

1. The State of Bihar.
2. Jujhat Khatoon, D/o Md. Motiur Rahman, Presently residing at village - Sakrauli, Ward No. 10, P.S. - Nanpur, Distt. - Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Uday Kumar, Advocate.
For the State : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2023 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 Section 498(A) of the I.P.C.

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 father-in-law and petitioner no. 3 is the brother-in-law (Dewar) 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 Complaint Case No. C1-372 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 petitioner.

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)

U.K.

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

