

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42155 of 2023

Arising Out of PS. Case No.-114 Year-2022 Thana- BAUNSI District- Araria

1. MD. YUNUS SON OF KALLAR MIAN RESIDENT OF VILLAGE -
NANDANPUR, POLICE STATION - BOUSI, DISTRICT - ARARIA
2. BIBI SAYRA WIFE OF MD. KAILU RESIDENT OF VILLAGE -
NANDANPUR, POLICE STATION - BOUSI, DISTRICT - ARARIA
3. MD. KAILU SON OF MD. YUNUS RESIDENT OF VILLAGE -
NANDANPUR, POLICE STATION - BOUSI, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 493, 420
and 406 of the Indian Penal Code and under Sections 3 /4 of the
Dowry Prohibition Act.

3. Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and petitioner no.
2 is a woman.

4. The informant alleges that Md. Mukhtar was
introduced to her through Bibi Sayra (sister of Mukhtar), who



stayed near her house, it is next alleged that Mukhtar had come to meet Sayra Begum and Sayra called her and locked her in a room with Mukhtar who established physical relations on pretext of marriage and the relationship continued, it is next alleged that brother and mother of Mukhtar demanded Rs. 1 lac by way of dowry and on account of non-fulfillment of the demand, accused persons threw her out of the house and Mukhtar kept her jewellery.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant and Mukhtar were in love and they established physical relations and when the relationship soured, the present false case came to be instituted, it is next submitted that petitioner no. 2, is who is sister of Mukhtar, has deliberately been made an accused along with her father-in-law (petitioner no. 1) and husband (petitioner no. 3) in order to coerce Mukhtar into submission so that he becomes ready to marry the informant. It is further submitted that the informant falsely alleges that it was petitioner no. 2 who introduced Mukhtar with the informant.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six 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 the learned trial court where the case is pending/successor court in connection with Baunsi P.S. Case No. 114 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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