

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56561 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- MAJHAULIA District- West Champaran

1. ROSHAN JAHAN @ RAUSHAN JAHAN W/O SHEKH JOKHU
RESIDENT OF GURCHURWA, PS. MAJHAULIYA, DIST. WEST
CHAMPARAN
2. RUKSANA KHATOON @ RUSHSANA KHATOON W/O SHEKH
IRSHAD RESIDENT OF GURCHURWA, PS. MAJHAULIYA, DIST.
WEST CHAMPARAN
3. RUKHSANA KHATOON @ RUKSANA KHATOON W/O SHEKH
FAIYAZ RESIDENT OF GURCHURWA, PS. MAJHAULIYA, DIST.
WEST CHAMPARAN
4. SHEKH JOKHU S/O SHEKH REYASAT RESIDENT OF GURCHURWA,
PS. MAJHAULIYA, DIST. WEST CHAMPARAN
5. SHEKH FAIYAZ ALAM S/O SHEKH JOKHU RESIDENT OF
GURCHURWA, PS. MAJHAULIYA, DIST. WEST CHAMPARAN
6. HUSNE ARA @ HUSNE ARA KHATOON W/O JEYAUUL HAQUE
RESIDENT OF BISHANPURWA, PS. ADAPUR, DIST. EAST
CHAMPARAN
7. JEYAUUL HAQUE S/O ALI HASAN RESIDENT OF BISHANPURWA, PS.
ADAPUR, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abu Nasar, Adv.
For the Opposite Party/s	:	Mr.Nitya Nand Tiwary, APP
For the Complainant	:	Mr.Ram Adya Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioners, learned
counsel for the complainant and learned APP for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable u/s 147, 148, 149, 341,
343, 498(A), 504, 307, 506 of the IPC and sections 3, 4 of



Dowry Prohibition Act.

3. As per the prosecution case, the petitioners along with other accused tortured the complainant soon after marriage over demand of dowry and it is alleged that they tried to kill her.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners are the in-laws and family members of the victim. They have never made any dowry demand. It is submitted that the alleged occurrence is said to have taken place on 30.12.2022 but the complaint was filed on 28.01.2023 i.e. after delay of about one month and there is no explanation regarding the delay caused in filing of the present case, which itself creates doubt about the prosecution case. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail by submitting that the petitioners are also involved in the present case and they tried to kill the victim for non- fulfillment of dowry demand.



6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Majhaulia (West Champaran) P.S. Case No.119 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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