

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61584 of 2023

Arising Out of PS. Case No.-788 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Md. Lal Babu @ Lalbabu Bhat Son Of Late Baban Bhat
 2. Aftab Ali @ Monu Bhat @ Md. Aftab Ali Son Of Md. Lal Babu @ Lalbabu Bhat
 3. Asha Khatoon Wife Of Md. Lal Babu @ Lalbabu Bhat
 4. Muskan Khatoon @ Muskan D/O Md. Lal Babu @ Lalbabu Bhat
All Resident Of Village- Jagdishpur Machchharhata, Bhatt Toli, Immambara
Ke Pass, P.S Jagdishpur, District Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nasima Khatoon Wife Of Arman @ Bhim Bhatt @ Javed R/O Jagdishpur
Machchharhata Bhatt Toli, Immambara Ke Pass, PS- Jagdishpur, Dist-
Bhojpur Presently- R/O Mohalla- Dhrhara, PS- Ara Town, Dist- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Manish Chandra Gandhi, learned counsel

 appearing on behalf of the petitioners and Mr. Md. Ataur

 Rahman, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with

Complaint Case No.788 © of 2022 , registered for the offences

punishable under Sections 498(A) and 406 of the Indian Penal

Code and Section 3/4 of the Dowry Prohibition Act but

cognizance has been taken under Sections 323, 498(A)/34 of the

IPC.



3. Prosecution story, in brief, is that the marriage of the complainant was solemnized with Md. Arman @ Jawed @ Bhim Bhatt on 25.02.2015 and soon thereafter all the named accused persons started torturing and demanding Rs.3 lac as dowry and finally they ousted her from the matrimonial house.

4. Learned counsel appearing on behalf of the petitioners submits that petitioner no.1 is father-in-law, petitioner no.2 is brother-in-law, petitioner no.3 is mother-in-law and petitioner no.4 is sister-in-law. There is no allegation of dowry. Petitioners want to settle the dispute between the complainant and her husband, who is the son of petitioner no.1. Remaining petitioners are family members of husband of the complainant. Learned counsel further submits that he has received instruction that they will also support both the children of the complainant in getting good education.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions of the parties and considering the nature of allegation made against the petitioners above named as well as the fact that they are agreed to meet the expenses, which will incur over the good education of both the children of the complainant, the petitioners are



directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Bhojpur at Ara in connection with Complaint Case No.788© of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that petitioner nos. 1 and 3 will file a joint affidavit that they will support the complainant in getting her both children good education.

(Purnendu Singh, J)

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