

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68790 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- DIGHA District- Patna

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1. Zafar Imam Son of Late Ghulam Naqui Mukhtar Resident of Mohalla- Panch Mahla, Jehanabad, P.S. Jehanabad, District- Jehanabad
 2. Shahnaz Bano Wife of Zafar Imam Resident of Mohalla- Panch Mahla, Jehanabad, P.S. Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fauzi Perween Wife of Khurshid Alam Resident of New Colony, P.O.- Digha Ghat, P.S.- Digha, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2023 Heard Mr. Md. Ataul Haque, learned counsel

appearing on behalf of the petitioners and the learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Digha P.S. Case No. 218 of 2022, registered for the offences punishable under Sections 341, 323, 504, 506 and 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The marriage of the son of the petitioners was solemnized with the O.P. No. 2 on 16.11.2019 as per the Mohammedan Custom. Soon after the marriage, the O.P. No. 2



was subjected to demand of dowry of Rs. 10,00,000/- (Rs. Ten Lakhs) and on account of non fulfillment of the same, she was tortured in various ways and finally she was ousted from her matrimonial home.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are old parents-in-law, aged about 72 years and 67 years, respectively. That apart, they are suffering from various ailments. In support of the aforesaid submissions, the photocopy of the medical prescriptions has been brought on record, as contained in Annexure P/2 series. He lastly submits that the petitioners have no concern with the affairs of the O.P. No. 2 and her husband.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are old parents-in-law and the nature of allegation is general and omnibus, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of the learned Sub
Divisional Judicial Magistrate, Patna in connection with Digha
P.S. Case No. 218 of 2022, subject to the conditions laid down
in Section 438(2) Cr.P.C. with the further condition that one of
the bailors shall be the own/close family members of the
petitioners.

(Harish Kumar, J)

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