

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78594 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. NAUSHAD KURAISHI S/O ANWARUL KURAISHI VILLAGE-
LAKHNA, PS. KASBA, DIST. PURNEA
 2. ANWARUL KURAISHI S/O LATE BHOLA KURAISHI VILLAGE-
LAKHNA, PS. KASBA, DIST. PURNEA
 3. NASEEMA KHATOON @ NASHIMA W/O ANWARUL KURAISHI
VILLAGE- LAKHNA, PS. KASBA, DIST. PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHABBO KHATOON W/O SADDAM KURESHI VILLAGE- LAKHNA,
PS. KASBA, DIST. PURNEA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2023 Heard the parties.

2. The petitioners are apprehending arrest in connection with C.A. Case No. 25 of 2023 instituted under Sections 323, 498(A)/34 of the Indian Penal Code.

3. As per the prosecution story, lady was married according to the Muslim Custom on 05.06.2022 with Saddam Kuraishi but was always tortured for dowry in which the family members also used to support him. There was a Panchayati held but still she was assaulted and was forced to leave the in-laws house, according to the FIR.



4. Learned counsel for the petitioners submit that they are father-in-law, brother-in-law and mother-in-law and the allegation is against Saddam Kuraishi who will be ultimately facing the trial. They do not have any role to play.

5. Learned APP opposes the prayer for bail of the petitioners.

6. Taking into account the fact that they are family members, aged father-in-law, mother-in-law as also the brother-in-law, the ultimate culprit being the husband, this Court is inclined to extend them the privilege of anticipatory bail to the petitioners.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with C.A. Case No. 25 of 2023 to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(Rajiv Roy, J)

Adnan/-

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