

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4935 of 2024

Arising Out of PS. Case No.-505 Year-2023 Thana- KATIHAR NAGAR District- Katihar

1. Bechani Khatoon @ Mumtazm D/o Late Md. Kasim R/o Mohalla - Mahmud Chowk Dilkash Bag, P.S. - Katihar (T), Distt. - Katihar
2. Lado Khatoon @ Ajmeri Khatoon D/o Late Md. Kasim R/o Mohalla - Mahmud Chowk Dilkash Bag, P.S. - Katihar (T), Distt. - Katihar
3. Rehana Khatoon @ Rehana Praveen D/o Late Md. Kasim R/o Mohalla - Mahmud Chowk Dilkash Bag, P.S. - Katihar (T), Distt. - Katihar
4. Md. Tarik @ Tarik Mansoori @ Md. Tarique Son of Late Md. Kasim R/o Mohalla - Mahmud Chowk Dilkash Bag, P.S. - Katihar (T), Distt. - Katihar
5. Bibi Fatima @ Fatima @ Fatma W/o Late Md. Kasim R/o Mohalla - Mahmud Chowk Dilkash Bag, P.S. - Katihar (T), Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Katihar Town Police Station Case No. 505 of 2023, disclosing offences under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.
3. As per the prosecution case, the daughter of the informant was married to the co-accused Md. Imtiyaz, about two years and nine months back. It has been alleged that they started demanding dowry and due to non-fulfillment of demand, they assaulted the informant's daughter.



4. Learned Counsel for the petitioners submits that the marriage of the informant's daughter was solemnized with the co-accused Md. Imtiyaz, about two years and nine months back and from the wedlock, one son was born. Earlier, the informant's daughter had lodged a complaint case No. 133 of 2022 against the petitioners and other family members including her husband. A maintenance case, bearing maintenance case No. 445 of 2022, was also lodged by the informant's daughter and she is not residing in her matrimonial home. On the date of occurrence, the daughter of the informant arrived at her matrimonial home, along with her maternal uncle, where a scuffle took place between them and the family members of the petitioners. The injury caused to the informant's daughter is simple in nature. The co-accused and the husband of informant's daughter is in custody since 08.07.2023. The allegation against the petitioners are general and omnibus in nature and the petitioners are *nand*, mother-in-law and *dewar* of the victim.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that a complaint, against the petitioners, was already pending,



maintenance case, lodged by the informant’s daughter, was also pending and the informant’s daughter was not residing in her matrimonial home, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, Bechani Khatoon @ Mumtazm, Lado Khatoon @ Ajmeri Khatoon, Rehana Khatoon @ Rehana Praveen, Md. Tarik @ Tarik Mansoori @ Md. Tarique, Bibi Fatima @ Fatima @ Fatma , in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Katihar Town Police Station Case No. 505 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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