

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21779 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Mahfooz Alam @ Md. Mahfooz Alam @ Mahfooz Aazam Son Of Late Manzoor Alam R/O- Amiyawar, P.S.- Nasariganj, Distt.- Rohtas
 2. Jawed Alam @ Md. Alam Son Of Mahfooz Alam @ Md. Mahfooz Alam @ Mahfooz Aazam R/O- Amiyawar, P.S.- Nasariganj, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabina Khatoon Wife Of Seraj Alam R/O- Amiyawar, P.S.- Nasariganj, Distt.- Rohtas, D/O-Noor Hasan Ansari, presently R/O-Suara, P.S.-Nokha, Distt.-Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned counsel for the complainant as well as learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 66 of 2023, in which cognizance has been taken for the alleged offence under Sections 341, 323, 504 and 498A of the Indian Penal Code.

03. As per prosecution case, the petitioners are father-in-law and brother-in-law of the complainant, respectively. The allegation against them is that of demanding a Bullet motorcycle and Rs. 1,00,000/- cash in dowry and on non-fulfillment thereof, the complainant was tortured and treated with cruelty and she was



driven out of her matrimonial home.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case while making general and omnibus allegation. The husband of the complainant is not under the control of the petitioners and the dispute is between wife and husband and the petitioners have no role in the alleged occurrence. The incorporation of Sections 307 and 511 of IPC is only for the purpose of making the case serious. The petitioners have got no criminal history.

05. Learned A.P.P. for the State as well as learned counsel appearing on behalf of the complainant vehemently opposes the prayer for anticipatory bail. Learned counsel for the complainant submits that the petitioners are also instrumental in torturing the complainant.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the petitioners with the complainant and further considering the general and vague nature of allegation against the petitioners and possibility of false implication, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram/concerned court in connection with Complaint Case No. 66 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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