

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45473 of 2024

Arising Out of PS. Case No.-157 Year-2012 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Bibi Pancho Begum @ Pachya Begum @ Rachya Begum W/O Md. Sadik R/O Mir Sahab Tola, Barari (Tikia Tola), P.S- Barari, Distt.- Bhagalpur.
 2. Bibi Chandani @ Chandni W/O Md. Adil R/O Mir Sahab Tola, Barari (Tikia Tola), P.S- Barari, Distt.- Bhagalpur. At Present Fatimabai Chawl, Gulshan Nagar, Jogeshwari, West Mumbai, Maharashtra- 400102. Mob- 8434947864
 3. Md. Adil @ Md. Adil Shaikh S/O Md. Sadik R/O Mir Sahab Tola, Barari (Tikia Tola), P.S- Barari, Distt.- Bhagalpur. At Present Fatimabai Chawl, Gulshan Nagar, Jogeshwari, West Mumbai, Maharashtra- 400102. Mob- 8434947864

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Bibi Musrat Bano D/O Md. Ekram R/O Mir Sahab Tola, Barari (Tikia Tola), P.S- Barari, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Complaint Case No. 157 of 2012 dated 30.01.2012 instituted for the offence punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in short, is that the petitioners along with other accused persons demanded Rs. 60,000/- cash, a colour T.V. and one katha land as a dowry from the complainant and on account of non-fulfilment of the same, they tortured the



complainant in various manners and ultimately she was ousted from her matrimonial home due to which she took shelter in her parent's house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that petitioner no. 1 is the mother-in-law of the complainant/opposite party no. 2, petitioner no. 2 is the wife of the elder brother of the husband of the complainant and petitioner no. 3 is the elder brother of the husband of the complainant. Learned counsel for the petitioners further submits that the petitioners were residing in Mumbai, as such they had no knowledge about the said case. No summons of the court have ever been served upon the petitioners. When N.B.W. were issued against the petitioners, then they came to know about the said case. It is also submitted that the husband of the complainant has already been granted bail from the court below itself. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six



weeks from today, in connection with Complaint Case No. 157 of 2012, they will be released on bail 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 S.D.J.M., Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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