

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55887 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- MAHILA P.S District- Supaul

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1. Md. Asfaque Ahmad @ Md. Asfaque Alam Son of Md. Atikur Rahman
 2. Murshida Khatoon Wife of Md. Asfaque Ahmad
 3. Rehana Khatoon
 4. Wahida Khatoon @ Shabana Khatoon
 5. Nusrat Khatoon @ Nusrat Jahan
 6. Israt Khatoon @ Israt Praveen
- All four are daughter of Md. Asfaque Ahmad
All are R/O Vill.- Ausari Ramganj, Ward no.-09, P.S.- Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Danishta Praveen D/o of Md. Juber, W/o Md. Ajaj R/O Vill.- Simrahi, Ward no.-05, P.s.- Raghobpur, Dist.- Supaul. At Present Nagar Parishad, Supaul, Gajana Chowk, P.s. and Dist.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 498A, 341, 342, 323, 325, 504, 379, 406, 307 of the IPC in connection with Mahila Supaul P.S. Case No.25 of 2023.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and the informant alleges that she was married to Md. Ajaj (son of petitioner no.1)



on 18.01.2023 and after marriage the accused persons including the petitioners started torturing her for dowry as detailed in the FIR. It is also submitted that the accused persons ousted her from her matrimonial home after keeping all her ornaments and belongings.

4. The learned counsel for the petitioners submits petitioners have been falsely implicated in the instant case by the informant being father-in-law, mother-in-law and sister-in-laws (Nanad) of the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault and torture is general and omnibus in nature. It is next submitted that the instant FIR arises out of a complaint, but then it is submitted that the complaint initially was filed under Section 307 of the IPC, but then no injury report was annexed with the complaint, which amply demonstrates that the complaint initially was instituted under Section 307 of the IPC in order to give seriousness to the case, but based on the said complaint the instant FIR was instituted. It is also submitted that whenever any dispute arises in between the husband and the wife the entire family members are implicated in a mechanical manner with general, omnibus and ornamental allegation.



5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Supaul in connection with Mahila Supaul P.S. Case No.25 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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