

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56266 of 2024

Arising Out of PS. Case No.-197 Year-2019 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. Chandani Khatoon, Wife of Meraj Alam R/o- Islampur Budhanagar Garh Mohalla P.S.- Islampur, Dist- Nalanda
 2. Meraj Alam, Son of Late Asgar Ali R/o- Islampur Budhanagar Garh Mohalla P.S.- Islampur, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roushan Aara Wife of Ashique Dokhtar Saffi Ahmad R/o- Bhikhanpur Dhebai P.O.- Injor P.S.- Mehendiya Dist- Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the State : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-09-2024 Heard Mr. Anil Kumar Singh, learned counsel

for the petitioners and Mrs. Sharda Kumari, learned APP for the

State.

2. The petitioners apprehend their arrest in connection
with Complaint Case No. 197 of 2019 registered for the
offences punishable under Sections 341, 323, 307, 379 and
498A of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act.

3. Learned counsel appearing for the petitioners
submits that the Petitioner No.1 is sister-in-law and Petitioner
No.2 is brother-in-law of the complainant and against them



there is no specific allegation and before the court of Chief Judicial Magistrate where the complainant recorded her statement under Section 200 of Cr.P.C. in which she did not make any specific allegation against both the petitioners and the main allegation is against her husband and in this regard, S.A. of the complainant may be perused. It is further submitted that though against the petitioners, the learned trial court has issued process under Section 82 of Cr.P.C. but without getting the service report of any of the processes such as summons or bailable warrant which are said to have been issued earlier, the learned trial court directly proceeded to issue the process under Section 82 of Cr.P.C. which is completely against the settled law and the petitioners did not get any information regarding the cognizance as well as the processes and now they are in deep apprehension of their arrest.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the above submissions and mainly taking into account the facts that both the petitioners are said to be in-laws of the complainant and the case is based on complaint and there is no specific allegation against the petitioners as per the S.A. of the complainant, in my opinion, it



is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 197 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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