

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60158 of 2024

Arising Out of PS. Case No.-1833 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Md. Ayub @ Ayub Quraishi S/o Late Bhola @ Bhola Quraishi R/o Mohalla - Kathokar Talab (Opposite Shahjahan Kabari), P.S- Civil Lines, Distt. - Gaya
 2. Yasmeen Khatoon W/o Md. Ayub @ Ayub Quraishi R/o Mohalla - Kathokar Talab (Opposite Shahjahan Kabari), P.S- Civil Lines, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noor Jahan Parween W/o Sajid Quraishi R/o Mohalla - Kathokar Talab (Opposite Shahjahan Kabari), P.S. - Civil Lines, Distt.- Gaya, at present D/o Washi Ahmad, R/o vill - Khap, P.S. - Cherki (Bodh Gaya), Distt. - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Prasad Sinha, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Dharendra Prasad Sinha, learned counsel

for the petitioners and Mr. Anil Kumar, learned APP for the

State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 1833 of 2022, registered for the offences punishable under Section 498(A) of the Indian Penal Code.

3. Allegation against the petitioners is of demand of dowry of Rs. Two Lacs from the complainant and due to non-fulfillment of the same, the complaint was tortured and ousted



from her matrimonial house.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case merely on the ground that the petitioners are in-laws of the complainant. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioners have not committed any offence as alleged in the complaint petition.

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

6. Considering the facts and circumstances of the case and the nature of allegation as alleged in the complaint petition as well as petitioners having clean antecedents, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 learned C.J.M. Gaya in connection with Complaint Case No. 1833 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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