

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74006 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- MANSI District- Khagaria

1. Chulhiya Khatoon @ Najman Khatoon Wife of Late Suleman @ Late Isakuddin Resident of Village - Balha Bazar, Ward No.12, P.S. - Mansi, District - Khagaria
2. Farhat Khatoon @ Farhat Bano @ Farat Bano Wife of Md. Faruk Resident of Village - Balha Bazar, Ward No.12, P.S. - Mansi, District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilu Begum Wife of Naushad Resident of Village - Baisi, Jahangirpur, P.S. - Rangra O.P. Navgachiya, District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahid Aqubal, Adv
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-10-2024 Heard learned counsels for the parties.

2. The petitioners apprehends their arrest in connection with Mansi P.S. Case No.318 of 2023, registered for the offence punishable under Sections 498A, 323, 363, 506 and 34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per the FIR, the petitioners and other co-accused persons assaulted and tortured the daughter of informant on account of non-fulfillment of demand for dowry. It is alleged that the informant got an information that her daughter has left her matrimonial house and since then, she is traceless.

4. It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have never tortured the victim rather she left the home on her own will. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim has not been recovered till date.

6. Having regard to the facts and circumstances of the case, since the victim is still traceless, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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