

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1443 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- BALRAMPUR District- Katihar

1. Yasmin Khatoon @ Yasmin W/O- Shah Alam R/O- Village- Baluganj, P.S.- Balrampur, Dist.- Katihar.
2. Shah Alam S/O- Late Yunus @ Biju R/O- Village- Baluganj, P.S.- Balrampur, Dist.- Katihar.
3. Md. Tabrej @ Niyaz Alam S/O- Late Habibul R/O- Village- Bagdob, Badhutola, P.S.- Baisi, Dist.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazher Alam, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Balrampur P.S. Case No.126 of 2023 registered for the offences punishable under Sections 341, 323, 498(A), 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. The petitioners have got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioners is that they had tortured the informant physically and mentally for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that the petitioner no.1 is the mother-in-law, petitioner no.2 is the father-in-law and petitioner no.3 is a distant relative of the informant and they have no concern or connection with the informant. The allegations have been made because of the matrimonial discord between the informant and her husband.

5. Learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioners, but considering the facts and circumstances of the case, the nature of the allegations and the relationship of the parties, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar in connection with Balrampur P.S. Case No. 126 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. 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 antecedent, 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.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--