

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33901 of 2025

Arising Out of PS. Case No.-9 Year-2022 Thana- MAHILA P.S. District- Bhojpur

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1. Javed Anwar S/O Late Md. Haroon Resident of Quarter no. 30/3/2 Noor Md. Munsli Lane 1st floor L.P. 150/10 Howrah, P.S Howrah, West Bengal
 2. Yasmim Begum @ Yasmin Begum @ Yasmeen Begum W/O Javed Anwar Resident of Quarter no. 30/3/2 Noor Md. Munsli Lane 1st floor L.P. 150/10 Howrah, P.S Howrah, West Bengal

... .. Petitioners

Versus

1. The State of Bihar Bihar
2. Sabana Khatun W/O Zeeshan Khan Resident of Quarter no. 30/3/2 Noor Md. Munsli Lane 1st floor L.P. 150/10 Howrah, P.S Howrah, West Bengal, D/O Alamgirh, presently residing village-Pakri, PS-Ara Naeada, Distt-Bhojpur

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Bhojpur Mahila P.S. Case No. 09 of 2022 registered for the offences punishable under Sections 323/341/498A/506/34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioners is to commit cruelty upon the informant namely, Sabana Khatun being in-laws as opposite party no. 2/informant could not fulfill the



demand of dowry as raised by the petitioners and her husband.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioners are in-laws and living separately with the O.P. No. 2/informant and her husband. It is submitted that there is no occasion to raise any demand of dowry or to commit any physical cruelty upon the opposite party no. 2.

5. It is submitted that even from perusal of F.I.;R., the thrust of allegation is available against the husband of opposite party no. 2/informant and, moreover, the dispute appears compromised between the parties for which compromise petition was filed before the learned S.D.J.M., Bhojpur at Ara on 04.10.2024. While concluding argument, it is submitted that petitioners are persons of clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as petitioners are in-laws facing general and omnibus allegation *qua* alleged cruelty, coupled



with the fact that matter now *prima-facie* appears compromised between the parties, accordingly, above-named petitioner, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara, in connection with Bhojpur Mahila P.S. Case No. 09 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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