

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73345 of 2024

Arising Out of PS. Case No.-1322 Year-2024 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Md. Ashiq Hussain @ Md. Asif @ Md. Asif Hussain Son of Md. Enul Hak Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi
 2. Noor Jahan @ Noor Jahan Begum Wife of Md. Ashiq Hussain @ Md. Asif Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi
 3. Tamanna Ali Sheikh @ Tammanna Ali Sheikh @ Md. Tammanna Ali Sheikh @ Tammanna Ali Son of Md. Ashiq Hussain @ Md. Asif Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi
 4. Md. Shehzad @ Shahzad Alam @ Md. Shahzad Alam Son of Md. Ashiq Hussain @ Md. Asif Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi
 5. Shabnam Khatoon @ Aliya Firdaus Wife of Tanvir Rahman @ Md. Asif Hussain Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilofar Daughter of Md. Imteyaj Haidar, Wife of Shams Tavrej Alam Resident of Village - Rupauli, P.S. - Tariyani, District - Sitamarhi, Presently Residing at Ford Company, P.S. - K. Hat, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate
For the State	:	Mr. Parmanand Prasad, APP
For the Complainant	:	Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Santosh Kumar, learned counsel for the petitioners, Mr. Parmanand Prasad, learned Additional Public Prosecutor for the State and Mr. Santosh Kumar Singh, learned counsel appearing on behalf of the complainant.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 1322 of 2024, for the



offences punishable under Sections 323, 498(A), 313 and 511 of the Indian Penal Code but the learned Court below has taken cognizance against the petitioners only under Sections 323 and 498(A) of the Indian Penal Code.

3. According to prosecution case, allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act or demand of dowry is attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. He further submits that petitioner no.1, is father-in-law, petitioner no.2 is mother-in-law, petitioner nos.3 & 4 are brother-in-law and petitioner no.5 is married sister-in-law of the complainant.

5. Learned counsel for the complainant as well as learned Additional Public Prosecutor, on the other hand, have



opposed the prayer for bail of the petitioners.

6. In that view of the matter the provisional bail granted to the petitioners vide order dated 11.11.2024 pending in the Court of learned J.M. 1st Class, Purnea in connection with Complaint Case No. 1322 of 2024 is hereby confirmed.

7. Accordingly, this anticipatory bail application stands disposed of.

(Rajesh Kumar Verma, J)

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