

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46576 of 2018**

Arising Out of PS. Case No.-71 Year-2017 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

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1. Md. Isamayal, S/o Late Sabujan,  
2. Madina Khatoon S/o Md. Ismail, Both R/o Vill.- Korhiya, P.S.-  
Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.  
2. Rasida Khatoon W/o Md. Sultan , R/o Vill.- Korhiya, P.S.- Jaynagar, District-  
Madhubani at present D/o Late Md. Sasim, R/o Padma, P.S.- Ladaniya,  
District- Madhubani.

... .. Opposite Party/s

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**Appearance :**

For the Petitioners : Mr. Gagan Deo Yadav, Advocate  
For the State : Smt. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      31-07-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 379/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case is triable by the Magistrate. The



petitioners have relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1<sup>st</sup> class, Madhubani in connection with Complaint case No.71 (CIS) of 2017/71(CR) of 2017, T.R. No.2243 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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