

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17736 of 2023

Arising Out of PS. Case No.-6 Year-2022 Thana- MAHILA PS District- East Champaran

1. BUSHRA KHATOON @ BHUSHRA KHATOON WIFE OF LATE HAZI SHOIB RESIDENT OF VILLAGE - SISWA, P.S. - BANJARIYA, DISTT. - EAST CHAMPARAN
2. MD. TAJ SON OF MOHAMMAD RESIDENT OF VILLAGE - MAHUAWA, P.S. - PIPRAHI, DISTT. - SHEOHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. NUZHAT BANO D/O MD MAKBOOL RESIDENT OF VILLAGE - LAHSANIYA, P.S. - PATAHI, DISTT. - EAST CHAMPARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Adv.
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-05-2023 Heard Mr. Sangeet Deokuliar, learned counsel for the petitioners and Mr. Shyameshwar Dayal, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Motihari Mahila PS Case No. 06/2022 dated 14.01.2022 registered for the offence punishable under Sections 498A, 307/34 of the IPC and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. As per allegation made in the First Information Report, the marriage of the informant was solemnized with the son of petitioner no.1 i.e., co-accused, Tarik Anwar @ Ful Babu in the year 2012. After marriage, the accused persons started



demanding dowry and due to non fulfillment of dowry demand, all the accused persons assaulted the informant and others.

4. Learned counsel for the petitioners submits that the entire family members have been made accused in the present FIR including the petitioners who are mother-in-law and *Nandosi (husband of sister-in-law of informant)* of the informant respectively. Learned counsel next submits that the allegation against the petitioners is general and omnibus in nature and the similarly situated co-accused persons, namely, Sabana @ Shabana Naz and Abdul Wasey @ Abdul Wasay have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 50991/2022 vide order dated 24.11.2022.

5. Regards being had to the submissions made by the parties, taking into consideration the generality of the allegation, petitioners are family members of the informant and co-accused persons have been granted anticipatory bail by a Bench of this Court, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Motihari, East Champaran in connection with
Motihari Mahila PS Case No. 06/2022, GR Case No. 248/2022,
subject to the condition as laid down under Section 438(2)
CrPC.

(Anil Kumar Sinha, J)

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