
(2013) 03 JH CK 0004
In the Jharkhand High Court
Case No : A.B.A. No. 485 of 2013

Abdul Qaiyam and Others

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 07-03-2013

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 438(2)
Dowry Prohibition Act, 1961 — Section 4
Penal Code, 1860 (IPC) — Section 323, 498A

Citation : (2013) 2 AJR 167

Hon'ble Judges : Dhruv Narayan Upadhyay, J

Bench : Single Bench

Advocate : Vijay Kumar Sharma, for the Appellant;

Judgement

Dhruv Narayan Upadhyay, J.—Heard the learned counsel for the petitioners and the learned counsel for the State. This is an application for

grant of anticipatory bail filed by the petitioners in connection with Complaint case No. 341 of 2011 for the offence registered under Sections

498A /323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

2. Petitioners have been prosecuted for committing torture and treating the complainant with cruelty for want of more dowry, demanded in terms of

a truck. They have been insisting the complainant to say her father to sell landed property and purchase a truck for the accused persons.

3. It is submitted that all the family members have been implicated in the case with general and omnibus allegation of demand of dowry.

4. Learned counsel for the State has opposed the prayer. Considering matrimonial nature of the offence, all the petitioners, namely (1) Abdul

Qaiyum, (2) Zaida Khatoon, (3) Md. Sarfaraz, (4) Md. Mokhtar, (5) Md. Wakil, (6)

Md. Shahid, (7) Md. Parwez, and (8) Parween Bano, are directed to appear/surrender before the Court below within a period of three weeks positively from the date of this order and on their surrender, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Civil Judge cum Chief Judicial Magistrate, Chatra, in connection with Complaint Case No. 341 of 2011 subject to the conditions laid down u/s 438(2) Cr. P.C.