

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24547 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -AWADPUR District- KATI HAR
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- 1. Mustaque Son of Sadek Ali
 - 2. Sadek son of Late Yasin
 - 3. Mamuda Wife of Sadek
- All are residents of village - Chapakhore, P.S. Abadpur, District - Katihar.

.... Petitioner/s

Versus

- 1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s Mr. Pronati Singh(App)
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 10.07.2015 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Abadpur P. S. case no. 118/2014 registered under sections
498A, 341, 323, 509, 406/34 of the Indian Penal Code and 3/ 4
of the D.P. Act.

It would appear that the petitioners were noticed by
the police under section 41 of the Cr.P.C and petitioners gave
undertaking before the police that they would appear before the
concerned court but after submission of charge sheet, they filed
anticipatory bail petition before learned Sessions Judge, Katihar
who directed the petitioners to surrender before the court below
and furthermore, the court below was directed to pass
appropriate order in the light of the principle laid down by the

Apex Court reported in 2014 (3) PLJR SC page 314.

Admittedly, petitioner no.1 is husband whereas petitioner nos. 2 and 3 are parents-in-law of the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner nos. 2 and 3, namely, Sadek and Mamuda be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ram Jha, Judicial Magistrate, Ist Class, Katihar/concerned court in Abadpur P. S. case no. 118/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

So far as petitioner no.1, namely, Mustaque is concerned, he must appear before the court below within four weeks and if he does so, the concerned court shall proceed with the matter in the light of the direction given by the learned Sessions Judge, Katihar vide order dated 19.3.2015 passed in A.B.P. no. 223/2015.

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(Hemant Kumar Srivastava,J)

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