

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50131 of 2014

Arising Out of PS.Case No. -16 Year- 2014 Thana -MAHILA P.S District- SUPAUL

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1. Anzar Ahmad Samdani, Son of Kabiruddin Faudan.
 2. Kabiruddin Foujan, Son of Late Sukhan Ali.
 3. Haqqani.
 4. Yazdani.
 5. Subhan @ Subhani. All Sons of Kabiruddin Foujan. All Residents of Village- Gandwas, P.S.- Baisi, District- Purnea.
 6. Md. Mohsin, Son of Late Abdul Majid.
 7. Lalifa Wife of Md. Mohsin. Both of Villages- Gandwas, Police Station- Dagarua, Purnea.
 8. Hafifa Wife of Moin.
 9. Md. Moin, Son of Late Salimuddin, Resident of Village- Simalbari, Police Station- Amour, District- Purnea.
 10. Guddi D/O Kabiruddin, Wife of Md. Rahman, Resident of Village- Taria, Police Station- Dagarua, District- Purnea.

.... Petitioners

Versus

1. The State of Bihar.
2. Sagufta Jalal, Daughter of Md. Jalaluddin, resident of Supaul, Ward No.20, Hussain Chowk, P.O.+P.S.+ District- Supaul.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Bishwanath Prasad Singh, Advocate.
For the State : Mr. S.D. Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-04-2015 Heard both sides.

Petitioners ten in numbers apprehend their arrest in a case in connection with Supaul (Mahila) P.S. Case No. 16 of 2014, under Section 498A and other Sections of the I.P.C. and ¾ of the D. P. Act.

Petitioner no. 1 is the husband and other petitioners are

in-laws of the informant.

Learned counsel for the petitioners submits that the petitioner no. 1 is ready to keep his wife and much prior to filing of this case, the petitioner no. 1 filed Matrimonial Suit No. 113 of 2013 in the court of the learned Principal Judge, Family Court, Purnea on 24.07.2013. The present F.I.R. was lodged on 08.02.2014. The petitioner no. 1 is still ready to keep his wife.

Considering the facts aforesaid and nature of allegation made against the petitioner nos. 2 to 10 who are the in-laws of the informant, are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within four weeks from the date of receipt/production of a copy of the order on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of J.M. Ist Class, Supaul, in connection with Supaul(Mahila) P.S. Case No. 16 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

So far as the case of petitioner no. 1 is concerned, he is the husband of the informant and is ready to keep his wife.

Considering the facts aforesaid, the petitioner no. 1 is directed to surrender before the learned Court below within four weeks from the date of receipt/production of a copy of the order

and the learned court below shall enlarge the petitioner no. 1 after issuing the notice to the informant, on provisional bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of J.M. Ist Class, Supaul in connection with Supaul(Mahila) P.S. Case No. 16 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Thereafter, the learned court below shall make effort for reconciliation the dispute between the husband and the wife. If the dispute between them is resolved, the learned court below shall confirm the provisional bail of the petitioner no. 1. If the dispute is not amicably settled, the learned court below shall pass an order on merits on the provisional bail of petitioner no. 1.

U.K./-

(Prabhat Kumar Jha, J)

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