

1. Mr. Jankha
2. Nasir Mohamud Police

1. The

Arising Out of PS.Case No. -431 Year- 2014 Thana -MADHUBANI TOWN District-
MADHUBANI

.... Petitioner/s

1. The State of Bihar.

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Ashok Kumar Prasad
For the State	:	Mr. A.L. Pandit, APP
For O. P. No. 2	:	Mr. Sanjay Kumar Jha, Advocate

5 22-06-2016 At the outset, learned Senior Counsel for the
petitioner informs this Court that the petitioner no. 2,
namely, Nasima Khatoon, had died on 06.01.2016, during
the pendency of this application.

The certified copy of the First Information Report of Madhubani Town Police Station Case No. 431 of 2014 has been filed on behalf of the petitioner, let the same be kept on record.

Heard learned Senior Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Madhubani Town Police Station Case No. 431 of 2014, disclosing offences under Sections 498A, 363, 368/34 of the Indian Penal Code.

It is alleged in the First Information Report that the sister of the informant was married to the petitioner's son in the year 2006 and thereafter since 2007, the informant has not been able to have a talk with his sister.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that his son is not residing with him. It has been stated in paragraph 11 of the application that the son of the petitioner had gone to Netherland with his wife in the year 2006 itself and thereafter they did not come to the petitioner's place. It has further been submitted that there is no specific allegation of any nature against the petitioner.

Learned Counsel appearing on behalf of the informant has opposed the prayer for anticipatory bail.

Considering the fact that there is no specific allegation of any nature against the petitioner, this application is allowed.

Let the petitioner, Md. Saiyum @ Mohammad Sayyum @ Saiyum, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town Police Station Case No. 431 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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