

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43526 of 2016**

Arising Out of PS.Case No. -69 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-  
MADHEPURA

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|----------------------------------------------------|--|
| 1. Md. Sameer @ Md. Samo,                          |  |
| 2. Bibi Bhusara Parveen alias Bibi Bushara Parveen |  |

.... .... Petitioner/s

Versus

1. State of Bihar,  
2. Bibi Ajmeri Khatoon

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

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      05-10-2016                      Heard learned counsels for the petitioners and the State.

The petitioners being parents of the late husband of the complainant are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 324/34 of the Indian Penal Code.

The prosecution case is that the complainant's marriage with the son of the petitioners namely Md. Sabbir was solemnized in 15.9.2010 and thereafter the complainant gave birth to a female child but subsequently the husband of the complainant died. The petitioners thereafter started inflicting torture and on 21.1.2016 the accused persons assaulted, snatched her belongings and drove her out of the matrimonial house. Thereafter the complainant came to

her matrimonial house and demanded her share then the petitioners assaulted and again drove her out of the matrimonial house.

It is submitted by the learned counsel for the petitioners that the petitioners are unfortunate parents of the husband of the complainant. The son of the petitioners died and thereafter the complainant is residing with her brother at Delhi and only in order to sell the property and settle at Delhi the present case has been lodged. It is further submitted that there is no injury report on record and for the initial incident of 21.1.2016, the complaint was filed on 1.3.2016. The petitioners are ready to allow the complainant to enjoy her share of property in the matrimonial house.

Considering the nature of accusation levelled in the background of share dispute, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, Madhepura in connection with Complaint Case No. 69 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of individual affidavit by the petitioners before the learned court below that they will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non compliance of the aforesaid undertaking will give liberty to prosecution to file application for cancellation of bail bonds by learned court below.

**(Dinesh Kumar Singh, J)**

Anil/-

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