

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6058 of 2016

Complaint Case No. -1491 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Bibi Lajina @ Bibi, wife of late Kashid Ansari @ Kohid Ansari
..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. S.D.Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the mother of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the complainant. Though accusation of making assault and torture are also against the petitioner. But the petitioner has no objection if complainant resides in matrimonial house. The petitioner claims to be separate from the husband of the complainant.

Considering the thrust of accusation against the husband

of the complainant, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Complaint Case No.1419/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing of affidavit to the effect that she will not interfere into the conjugal rights of the complainant and allow the complainant to enjoy her share property in matrimonial house. It is expected that the learned Court below shall get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

Ashwini/-

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