

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29040 of 2014

Arising Out of PS.Case No. -35 Year- 2009 Thana -SAHARSA COMPLAINT CASE District-
SUPAUL

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1. Md. Hafij Sah son of Md. Sahid Sah
2. Md. Ramim Sah son of Md. Hafij Sah
3. Bibi Rajila Khatoon wife of Md. Ishak
4. Bibi Bano Khatoon wife of Md. Hafij
All are resident of Village - Mirganj, Dhadhidhatta, Uttar Tola, P.S.
Kishanpur, District - Supaul

.... Petitioners

Versus

1. The State of Bihar
2. Bibi Kaushar wife of Md. Ramim Sah, Daughter of Md. Tafejul Sah
resident of Village - Nauhatta, P.S. Nauhatta, District - Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 20-04-2016 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the
offences alleged under Section 498A of the Indian Penal Code
and under Section 4 of the D.P. Act registered in connection
with Complaint Case No. 35 of 2009.

3. It is submitted that the petitioners have been
falsely implicated and this is the only complaint filed by the
OP No. 2 since she was married to the petitioner no. 2 on
05.08.2007. The petitioner no. 2 expresses his willingness to

keep the OP No. 2 with due dignity and honour but, it is she who is not interested in living with the petitioner no. 2

4. Despite valid service of notice of notice on OP No. 2 appearance has not been entered on her behalf nor she is represented when the matter is called today.

5. Having regard to the entirety of the facts and circumstances, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Complaint Case No. 35 of 2009, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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