

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14462 of 2016

Arising Out of PS.Case No. -113 Year- 2015 Thana -BARGANIA District- SITAMARHI

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1. Md. Ali S/o Md. Yasin, R/o Village- Ward No. 10, Bairginia, P.S.-
Bairginia, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Aisha Khatoon W/o Late Md. Ashfaq R/o Village- Ward No. 10,
Bariginia, P.S.- Bairginia, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha
For the Opposite Party/s : Mr. Binod Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2016 Petitioner being brother-in-law(Dewar) of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506, 34 of the Indian Penal Code. On conclusion of the investigation the charge-sheet was also submitted under Section 498A of the Indian Penal Code.

The prosecution case is that the petitioner being brother-in-law of the informant, after death of her husband started realizing rental of the property purchased in the name of the late husband of the informant. The petitioner also made assault and snatched gold chain of the informant.

It is submitted by learned counsel for the petitioner that initially only non-bailable provision in which the case was registered was Section 379 I.P.C but on conclusion of

the investigation Section 498A I.P.C was also added. The petitioner has no objection in allowing the informant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgnia P.S. Case No. 113 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted on filing separate affidavit that he will allow the informant to enjoy her share of property in the matrimonial house. It is expected from the learned Court below to get the said affidavit transmitted to the concerned police station.

Shageer/-

(Dinesh Kumar Singh, J)

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