

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55388 of 2016

Arising Out of PS.Case No. -292 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Mahjabi @ Mahajbeen Khatoon , daughter of Md. Asfaque, wife of Md. Imteyaz, resident of Malkana Road, Masaudhi, P.S. Masaudhi, District-Patna at present R/o Ansar Nagar, Ward No.37, Nawada, P.S. Nawada, District- Nawada
 2. Akhtari Khatoon, wife of Md. Asfaque, resident of village- Malkana Road, Masaudhi, P.S. Masaudhi, District-Patna
- Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-12-2016 At the very outset, Sri Bimlesh Kumar Pandey, learned counsel for the petitioners, in presence of Sri Narendra Kumar Singh, learned Addl. Public Prosecutor, makes a prayer for allowing him to make certain correction in paragraph-6 of the petition. He submits that some typographical error has occurred.

The prayer is allowed.

It may be done in course of the day.

Heard Sri Bimlesh Kumar Pandey, learned counsel for the petitioners and Sri Narendra Kumar Singh, learned Addl. Public Prosecutor.

Two petitioners, who are sister and mother respectively of husband of the informant, have approached this



Court with a prayer to extend the privilege of anticipatory bail in Shikarpur P.S. Case No.292/2016 registered for the offence under Section 498(A)/34 of the Indian Penal Code and Sections 3 /4 of the Dowry Prohibition Act.

By way of referring to the F.I.R. it was submitted by learned counsel for the petitioners that in sum and substance, main allegation has been levelled against the husband of the informant. So far petitioners are concerned, there is general and omnibus allegation. A plea has also been taken that the husband of the informant was residing separately. He submits that petitioner no.1 is married sister of the husband of the informant. It was submitted by learned counsel for the petitioners that Anticipatory Bail Petition of the husband of the informant is pending before the Sessions Court.

In view of facts and circumstances, particularly the fact that the anticipatory bail petition of husband of the informant is still pending before the Sessions Court, where he is pursuing to settle the dispute, there is no reason to deny the privilege of anticipatory bail. Accordingly, let the aforesaid two petitioners, namely, (i) Mahjabi @ Mahajbeen Khatoon and (ii) Akhtari Khatoon , in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of



Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case no.292/2016, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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