

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34291 of 2017
Arising Out of PS. Case No.-1270 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Md. Zakir, Son of Late Budhan,
2. Md. Ashraf, Son of Md. Zakir,
Both of Resident of Village- Bhutahi, P.S.- Sonbarsa, District-
Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rahmati Khatoon, W/o Md. Aslam, D/o Md. Kasim, Resident of village
Bhutahi, P.S.- Sonbarsa, District- Sitamarhi, at present residing at R/o
Village- Bhutahi, P.S. Sonbarsa, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. SRI ANIL KUMAR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-08-2017 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor representing the State of

Bihar.

This application, for grant of anticipatory bail, arises
out of Case No. C-1/1270 of 2016, disclosing offence under
Section 498A of the Indian Penal Code.

The petitioner no. 1 is the father-in-law of the
complainant; whereas petitioner no. 2 is the brother of the
husband of the complainant. The matrimonial discord appears to
be the root cause of filing of the complaint petition.

The Courts have taken judicial notice of the fact that
family members of the husband are implicated in order to create
pressure on the husband and his family members.



There is no reason for this Court to feel that if granted anticipatory bail, the petitioners shall flee from the course of trial.

Considering the nature of accusation and submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioners, namely, Md. Zakir and Md. Ashraf, in the event of their arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Case No. C-1/1270 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court below on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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