

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50706 of 2016

Arising Out of PS.Case No. -109 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Md. Mustafa Son of Md. Sagir, Resident of Village- Madhopur Islampur, P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rukhshar Begum Wife of Mustafa D/o Md. Raisul, Resident of Village- Madhopur Islampur, P.S.- Turkaulia, District- East Champaran at present resident of Village- Godhi Kundwa Ward No.-6, P.S. Kesariya, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III
For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 13-07-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Turkaulia P.S. Case NO. 109 of 2016, disclosing offences under Sections 498A, 323,504, 506, 307, 326, 511, 313, 120B read with Section 34 of the Indian Penal Code.

Earlier the matter was sent to the Patna High Court Mediation and Conciliation Centre, despite that the dispute between them could not be resolved amicably.

The petitioner is the husband of Opposite party No.2. It is evident from the materials on record that matrimonial discord between them is the root cause for registration of the First Information Report. No purpose will be served, if the



petitioner is taken into custody.

It is submitted that the petitioner shall present himself before the police as and when required and there is no chance that he will tamper with the evidence or influence the witnesses.

Considering the nature of dispute involved and the submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above-named in the event of his arrest/surrender within six weeks from today in the Court below 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 learned Chief Judicial Magistrate, Motihari, East Champaran in Turkaulia P. S. Case No. 109 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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