

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31656 of 2017

Arising Out of PS.Case No. -811 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Masomat Firoza Khatoon @ Firoza Khatoon, wife of Late Rahman,
resident of Village- Faitki P.S.- Madhepur, Dist- Madhubani

.... Petitioner

Versus

1. The State of Bihar.
2. Samsha Khatoon, wife of Khurshid Alam, resident of Village- Fatki,
P.S.- Madhepur, District- Madhubani. at presently D/o Abdul Rahim
Village Pachahi, P.S.- Madhepur, District- Madhubani Opposite Parties

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With

Criminal Miscellaneous No.32075 of 2017

Arising Out of PS.Case No. -811 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Khurshid Alam Son of Late Rahman, Resident of Village- Faitki, P.S.-
Madhepur, District- Madhubani

.... Petitioner

Versus

1. The State of Bihar.
2. Samsha Khatoon W/o Khurshid Alam, Resident of Village- Fatki, P.S.-
Madhepur, District- Madhubani, presently D/o Abdul Rahim Resident of
Village- Pachahi, P.S.- Madhepur District- Madhubani

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.31656 of 2017)

For the Petitioner : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Parties : Mr. Mustaque Alam, APP 36

(In Cr.Misc. No.32075 of 2017)

For the Petitioner : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Parties : Mr. Rajkishore Singh, APP 36

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 13-07-2017

Both these applications are being heard together and
are being disposed off by this common order as they arise out of
same police station case number.

Heard the learned counsel for the petitioners and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 147, 148, 149, 323, 354, 379, 498A and
504/34 of the Indian Penal Code and 3 and 4 of the Dowry



Prohibition Act.

The petitioner of Cr. Misc. No. 31656 of 2017 is mother-in-law and is living separately and petitioner of Cr. Misc. No. 32075 of 2017 is husband of the complainant. There is allegation of demand of dowry and torture for the same. In paragraph 14 of Cr. Misc. No. 32075 of 2017 it has been stated that the petitioner is ready for amicable settlement of dispute and restoration of conjugal life.

In the circumstances, let the petitioners, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, be released on **provisional anticipatory bail on** furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **C.R. Case No. 811 of 2014** to the satisfaction of the **Subdivisional Judicial Magistrate, Jhanjarpur, Madhubani**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code and, further, with the condition that the Court below shall notice the parties and take necessary steps for amicable settlement. If the petitioners would be found cooperative in the settlement of dispute and willing for restoration of conjugal life, then, the provisional anticipatory bail shall be confirmed by the Court below, itself, otherwise necessary order would be passed according to law.

(Birendra Kumar, J)

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