

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3679 of 2017**

Arising Out of PS. Case No.-567 Year-2016 Thana- FORBESGANJ District- Araria

1. Md. Samful @ Samful, son of Late Md. Multan  
2. Bibi Sitiya Khatoon @ Sitaya, wife of Md. Samful,  
Both are resident of village Rampur Uttar, Police Station Forbesganj, District Araria

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Firdaus Jahan Wife of Md. Asalam Both are resident of Village-Rampur Uttar, P.S. Forbesganj, Distt. Araria.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh  
For the Opposite Party/s : Mr. SRI UMA SHANKAR PRASAD SINGH

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

4      10-08-2017                      Learned Counsel for the petitioners submits that petitioner no. 1 (father-in-law of the informant) died during the pendency of this application.

Accordingly, this application, so far as petitioner no. 1 is concerned, has become infructuous and is dismissed as such.

Heard learned Counsel for the petitioner no. 2 and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Forbesganj Police Station Case No. 567 of 2016, disclosing offence under Sections 341/323/307/498A/34 of the



Indian Penal Code.

The petitioner no. 2 is the mother-in-law of the informant. The matrimonial discord appears to be the root cause of lodging of the First Information Report.

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 petitioner shall flee from the course of investigation or trial.

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

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

Let the petitioner no. 2, Bibi Sitiya Khatoon @ Sitaya, in the event of her 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



Chief Judicial Magistrate, Araria, in connection with Forbesganj Police Station Case No. 567 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 petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court below on two consecutive occasions, her bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

|   |   |   |   |
|---|---|---|---|
| U | v | T | v |
|---|---|---|---|

