

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18442 of 2017

Arising Out of PS.Case No. -701 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Sanjar Ali @ Sajar Ali, Son of Idrish Mian,
2. Idrish Mian, Son of Dila Mian,
3. Madina Khatoon, Wife of Idrish Mian,
4. Akabari Khatoon, Wife of Firoz Ali, All are of resident of village -
Gayghat, Police Station Aandar, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Golden Khatoon, Wife of Sanjar Ali @ Sajar Ali, Resident of village -
Gayghat, Police Station Aandar, District - Siwan, At Present Daughter of
Bhola Mian, Resident of village - Basdila, Police Station Gopalganj,
District - Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in connection

with Complaint Case No. 701 of 2015, Trial No.1953 of 2017 u/s

498A, 406/34 of the Indian Penal Code and 3 /4 of Dowry

Prohibition Act.

It has been submitted on behalf of the petitioners

that petitioner nos. 2 to 4 are father-in-law, mother-in-law and

Gotani of the informant. There is general and omnibus allegation

against them.



Considering the aforesaid facts and circumstances of the case, the prayer for anticipatory bail of petitioner nos. 2 to 4 is allowed.

Let above named petitioner nos. 2 to 4, in the event of their arrest/surrender in 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj in connection with Complaint Case No. 701 of 2015, Trial No. 1953 of 2017, subject to the conditions as laid down u/s 438(2) Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioners and (3) if the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation for bail of the petitioners.

So far petitioner no.1, who is the husband of the complainant, is concerned, there is specific allegation that he is not ready to keep the complainant. It is mentioned that the



complainant is living with her parents since 2014 after being ousted from the matrimonial home.

In that view of the matter the prayer for anticipatory bail of petitioner no.1 is rejected.

Petitioner no.1 may surrender in the court below and pray for regular bail, which shall be considered by the court below on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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