

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11216 of 2019

Arising Out of PS. Case No.-238 Year-1999 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Mobin @ Md. Mobin Uddin, Son of Md. Mustaquim Resident of
Village- Babupur Salkhanni @ Chakbahauddin, P.S.- Dalsing Sarai, District-
Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Sattar Son of Shekh Bhagloo Resident of Village- Vishnupur
Hakeemabad, P.S. Muffasil, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha
For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-02-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with C.R. No. 238 of 1999 in which
cognizance has been taken under Sections 498A and
304B of the Indian Penal Code.

The petitioner is the uncle of the deceased who
stays away from the house of the deceased or her
husband. Initially, a UD case was registered for the
death of the deceased. Later, a complaint was lodged by
opposite party no. 2 which was sent under Section 156
(3) Cr.P.C. for institution of a regular case, leading of
registration of Dalsingsarai P.S. Case No. 166 of 1998.



The aforesaid case ended in submission of mistake of facts. Later, on the basis of protest, a complaint was filed in which cognizance has been taken against the petitioner as well.

Considering the aforesaid background of this case and taking into account that the husband of the deceased has not been made accused and that the petitioner is, though, related to the family of the deceased but the relationship is distant, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dalsingsarai in connection with C.R. No. 238 of 1999, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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