

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17435 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- SUIYA District- Banka *
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1. Belal Ansari @ Md.Belal Ansari, aged about 35 years, male, Son of Late Ainul Ansari Resident of Village- Hathyapathar, Police Station- Suiya, District- Banka
2. Tamanna Khatoon @ Tamanna Parween, aged about 32 years, female, Wife of Belal Ansari Resident of Village- Hathyapathar, Police Station- Suiya, District- Banka
3. Nejbun Khatoon, aged about 61 years, female, Wife of Late Ainul Ansari Resident of Village- Hathyapathar, Police Station- Suiya, District- Banka

... .. Petitioners

Versus

1. The State Of Bihar
2. Gudiya Bibi Wife of Belal Ansari, D/o Subhani Ansari Resident of Village- Saspurupardih, Police Station- Santuri, District- Purulia, (W.B.) Pin Code- 723121

... .. Opposite Parties

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Appearance :

For the Petitioners : Mr. Md. Najmul Hodda, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-03-2019 Learned counsel for the petitioner states that the petitioner no. 1 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail petition of petitioner no. 1 stands dismissed as withdrawn.

3. The petitioner nos. 2 and 3 apprehend their arrest for the offences alleged under Sections 342, 323, 504, 506, 498(A)/34 of the Indian Penal Code registered in connection



with Suiya P.S. Case No. 89 of 2018.

4. It is submitted that the petitioners has been falsely implicated and this is the first such complaint since the informant was married to the son of petitioner no. 3. Even according to the averments in the F.I.R., the ingredients of the offence under Section 498(A) IPC are not made out. The petitioners claim clean antecedents.

5. Be that as it may, in the event of the petitioner nos. 2 and 3 arrest or surrender before the court below within six weeks from the date of communication of this order, let them be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Banka in connection with Suiya P.S. Case No. 89 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioner nos. 2 and 3 herein.

(ii) That the petitioner nos. 2 and 3 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner nos. 2 and 3 shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of



failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner nos. 2 and 3 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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