

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22366 of 2019

Arising Out of PS. Case No.-1951 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Samir Alam, S/o Late Madee Miya @ Marai Miyan, R/o village- Luhasi, P.S.- Uchakagaon, District- Gopalganj, Bihar
 2. Jamuni Khatoon, W/o Late Madee Miya @ Marai Miyan, R/o village- Luhasi, P.S.- Uchakagaon, District- Gopalganj, Bihar
 3. Chand Tara, W/o Osihar Ansari, R/o village- Luhasi, P.S.- Uchakagaon, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samma Surat, W/o Samir Alam, D/o Khurshid Ekram Shohari, R/o village- Luhasi, P.S.- Uchakagaon, District- Gopalganj. Presently residing at Village- Amwa Vijayipur, P.S.- Kuchaikote, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-06-2019 This is an application for grant of anticipatory bail in connection with Trial No. 2563 of 2018, arising out of Complaint Case No. 1951 of 2018, disclosing offence under Section 498A of the Indian Penal Code.

Allegation against the petitioners who happens to be the husband, mother-in-law and married Nanad of the complainant is of subjecting cruelty with respect to demand of Rs.1,00,000/- and one motorcycle.

Submission of the learned counsel for the petitioners



is that the whole allegation are false and concocted and the petitioners are still ready to keep her with full dignity and care. It is complainant who is not ready to reside with the petitioners.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has submitted that due to assault meted out to her, she is not ready to reside with the petitioners. Up till now, no any maintenance amount has been given to the opposite party no.2. She has also filed a maintenance case being Maintenance Case No. 198 of 2018 pending before the Principal Judge, Family Court, Gopalganj.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M.-IX, Gopalganj, in connection with Trial No. 2563 of 2018, arising out of Complaint Case No. 1951 of 2018 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to condition that petitioner no.1 has to appear in the maintenance case within a period of two



weeks and shall co-operate in the disposal of the same and further he shall abide by any interim order or final order passed by the Principal Judge, Family Court, Gopalganj.

(Vinod Kumar Sinha, J)

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