

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23441 of 2019

Arising Out of PS. Case No.-84 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Md. Lal Babu @ Lal Babu, S/o- Sheikh Kasim R/o Village- Piprahi, P.S.-
Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Khatoon @ Guriya Devi, W/o- Md. Lal Babu @ Lal Babu R/o
Village- Piprahi, P.S.- Ladaniya, District- Madhubani, at present D/o- Md.
Akbar, R/o Village- Bela, P.S.- Jaynagar, District- Madhubani.
3. The Superintendent of Police, Mdhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Ajay Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

8 03-12-2019 Today, petitioner, Md. Lal Babu @ Lal Babu along with

his counsel and opposite party no. 2, Guriya Khatoon along with Mr.
A.M.P. Mehta, Incharge A.P.P. for the State are present, while
opposite party no. 2 has not engaged any counsel. It appears that on
08.08.2019 opposite party no. 2 along with her father appeared
before this Court in pursuance to the order dated 22.07.2019. It also
appears that vide order dated 11.04.2019, petitioner was allowed
provisional bail in the event of arrest but the petitioner submits that
he was not apprehended by the police nor he has surrendered before
the trial court.

The petitioner apprehends his arrest in connection with
Complaint Case No. 84 of 2017, registered under Sections 323, 498-
A, 379 and 504 of the Indian Penal Code.



Learned counsel for the petitioner submits that opposite party no. 2 used to reside at her matrimonial house in Village Piprahi, P.S. Ladaniya, District- Madhubani along with her husband, Md. Lal Babu @ Lal Babu (petitioner).

On query by Mr. A.M.P. Mehta, learned A.P.P. for the State, opposite party no. 2 admitted that she used to live at her matrimonial house along with her husband and child happily and she has no grievance in allowing the pre-arrest bail of the petitioner.

Having regard to the facts and circumstances of the case and the fact that petitioner and opposite party no. 2 are leading their conjugal life with small child, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani, in connection with Complaint Case No. 84 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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