

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26356 of 2019

Arising Out of PS. Case No.-108 Year-2014 Thana- SONBERSA District- Sitamarhi

1. Md. Murtuja Ansari, aged about 31 years (Male) son of Md. Alauddin Ansari
2. Md. Alauddin Ansari, aged about 56 years (Male) S/o Md. Rasid Marhum
3. Sakina Khatoon, aged about 51 years (Female) W/o Md. Alauddin Ansari All are residents of village- Sarwarpur, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioners

Versus

1. The State Of Bihar
2. Nasrat Khatoon, aged about 20 years (Female), W/o Md. Murtuja Ansari, D/o Tahir Ansari At present Residing at Village- Mahadeopatti, P.S.- Parihar, District- Sitamarhi

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Uday Kumar, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 498A and 34 of the Indian Penal Code registered in connection with Sonbarsa P.S. Case No. 108 of 2014.

3. It is submitted that the petitioners have been falsely implicated and as a matter of fact, the complainant/informant has herself solemnized another marriage with one person, namely, Md. Israil as corroborated by the certificate issued by the Sarpanch of the concerned Gram Kachhari (Annexure-1). The petitioner no. 1 (the husband of the informant) is a differently abled person by reason of which the complainant/informant has left him after a compromise entered into between them, as noticed in the charge-sheet (Annexure-2). The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 108 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That petitioner nos. 1 and 3 shall be well represented in court on each and every date during trial, except as and when directed by the learned court to be physically present; and petitioner no. 2 shall remain physically present 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.

(iv) That the petitioners 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.

(Vikash Jain, J)

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