

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37274 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

1. Md. Ansar @ Ansar, aged about 42 years, Male, Son of Late Salamat
2. Bibi Mustari, aged about 35 years, Female, Wife of Md. Ansar
3. Intu @ Md. Intu, aged about 24 years, Male, Son of Md. Ansar
4. Sintu @ Md. Sintu, aged about 20 years, Male, Son of Md. Ansar
All Resident of Village-Puraini Uttari Tola, P.S.-Jagdishpur and District-Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Madan Mohan, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act registered in connection with Jagdishpur P.S. Case No. 09 of 2019.

3. It is submitted that the petitioners, who are various in-laws of the informant, have been falsely implicated and the allegation of this nature after six years of her marriage is improbable. It is stated that the accusations of demand of dowry are general and omnibus in nature and in any event, the informant and her husband are living separately from the joint family. The case has been filed as a result of marital dispute between the informant and her husband in which the petitioners have been implicated merely to put pressure. 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 Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 09 of 2019, 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 the petitioner nos. 1, 3 and 4 shall remain physically present in court on each and every date during trial and petitioner no. 2 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, 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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