

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52034 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- KURLIKOT District- Kishanganj

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1. SHAHABUDDIN @ MD. SHAHABUDDIN Son of Mahzuddin @ Samiruddin Resident of Village - Galgalia, P.S.- Galgalia, Dist.- Kishanganj.
 2. Marzeena Khatoon Wife of Shahabuddin @ Md. Shahabuddin Resident of Village - Galgalia, P.S.- Galgalia, Dist.- Kishanganj.
 3. Barsa Khatoon D/o Shahabuddin @ Md. Shahabuddin Resident of Village - Galgalia, P.S.- Galgalia, Dist.- Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussain

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-08-2019 The petitioner no.1 Shahabuddin @ Md. Shahabuddin is said to have been arrested during the pendency of the application and, therefore, this application to the extent it relates to him, has become infructuous.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kurlikot P.S. Case No. 09 of 2019, disclosing offences under Sections 419, 420 and 120B of the Indian Penal Code.

It is alleged in the FIR that the marriage of the informant's son was negotiated with petitioner no.3. Petitioner no.2 is the mother of petitioner no.3. It is asserted in the FIR



that after marriage negotiation was finalized, the informant's son had sent certain valuables and had deposited some amount in the account of petitioner no.2. Allegedly, the persons named in the FIR resiled from their promise to marriage, subsequently.

Learned counsel for petitioner nos. 2 and 3 has submitted that no offence is made out even if the allegation made in the FIR is taken to be true. He has submitted that the amount which was deposited in the account of petitioner no.2 shall be deposited in the account of the informant's son within two weeks.

Considering the above submission, this application is allowed. Let the petitioner nos. 2 and 3, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of Sri P.K.Tiwari, learned Judicial Magistrate, 1st Class, Kishanganj in connection with Kurlikot P.S. Case No. 09 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner nos. 2 and 3 shall present themselves before the Police/Court, as the



case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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