

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45451 of 2019

Arising Out of PS. Case No.-604 Year-2015 Thana- SASARAM MUFFSIL District- Rohtas

1. MUSLIM ANSARI Son of Late Hanif Ansari Resident of Mohalla - Takiya, P.S.- Sasaram Model, Distt - Rohtas.
2. Rabia Bibi Wife of Muslim Ansari Resident of Mohalla - Takiya, P.S.- Sasaram Model, Distt - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rubina Khatoon Wife of Kausar Ansari, D/o Mainudin Ansari Resident of Village - Uchitpur, P.S.- Sasaram (Muffasil), Distt - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-07-2019 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/34 IPC and Section 3 and 4 of the D.P.Act registered in connection with Sasaram (M) P.S. Case No. 604/2015.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the relatives (fufa and fufi) of the husband of the informant. It is submitted that the informant and her husband were married as far back as in the year 2006 and this is the first such complaint in which the petitioners have been implicated. The petitioners are residing separately from the informant and her husband and have no concern with their day-to-day matters. 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 bond of Rs.10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of learned SDJM, Sasaram (Rohtas), in connection with Sasaram (M) P.S. Case No. 604/2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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.
- iv. The petitioner no. 1 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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