

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46027 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- COMPLAINT CASE District- Araria

Md. Irshadul Haque @ Md. Md. Ishadul Haque @ Irsad Alam, Son of  
Shakeel, Resident of Village - Harwa, P.S.- Jokihat, Distt - Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Farzana Khatoon, D/o of Md. Ismail, Wife of Md. Irshadul Haque @  
Md. Md. Irshadul Haque @ Irsad Alam, Resident of Village - Khona  
Sonapur, P.S.- Jokihat, Distt - Araria.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Adv.

Mr. Md. Nafisuzzoha, Adv.

For the Opposite Party no.2: Mr.Amarendra Kumar, Adv.

Ms. Prakritita Sharma, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

- 3      25-09-2019                      Heard learned counsel for the petitioner and learned  
counsel representing the complainant-opposite party no.2.

The petitioner in this case is seeking anticipatory bail in  
connection with Complaint Case No.40C/2019 registered for the  
offences punishable under Sections 323 and 498A of the Indian  
Penal Code.

Learned counsel for the petitioner submits that he has  
instruction to say that the petitioner is ready and willing to live  
with the opposite party no.2 as husband and wife with full dignity  
and care. For this purpose, the petitioner is ready to visit the  
Maik/ house of the opposite party no.2 within two weeks from  
today and shall bring back her to his matrimonial home where she



would be allowed to live peacefully and with fully dignity.

Learned counsel for the opposite party no.2 submits that if the petitioner visits her place she will accompany him and shall go to her matrimonial home to live with her husband.

In the given facts and circumstances of the case, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand ) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with Complaint Case No.40C/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition that the petitioner shall abide by his undertaking given before this Court wherein he will visit the place of opposite party no.2 within two weeks from today and shall bring her back to the matrimonial home where she will be allowed to live peacefully. In case the petitioner fails to abide by his undertaking and the conditions as aforesaid, it will be open for the complainant-opposite party no.2 to file an application for cancellation of the bail.

**(Rajeev Ranjan Prasad, J)**

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