

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60732 of 2019

Arising Out of PS. Case No.-39 Year-2018 Thana- MAHILA P.S. District- Sitamarhi

1. Rasida Khatoon @ Rasida Khan Wife of Shamshad Khan Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi
2. Najmina Khatoon @ Najina Khatoon @ Rajina Khatoon Wife of Umar Khan Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi
3. Shamsher Khan @ Samseer Khan Son of Tauhid Khan Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi
4. Tauhid Khan Son of Late Islam Khaa Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi
5. Shahid Khan Son of Tauhid Khan Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi
6. Tanbir Khan Son of Tauhid Khan Resident of Village- Rasulganj @ Kosli, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and learned A.P.P. for the State. Learned counsel for the informant is also present.

The petitioners are apprehending their arrest in connection with Sitamarhi Mahila P.S. Case No. 39 of 2018 for the offence registered under Sections 341, 323, 498A, 379, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the entire case is false and fictitious. It appears that there is a long



standing dispute between the parties and the entire family has been made accused. The allegation against these petitioners is that they had attacked the lady and she had sustained injuries. It is further submitted that the petitioners have been indulging in torturing to the informant. The matter was referred to the Patna High Court Mediation & Conciliation Centre and as per the Mediator's Report, the mediation has failed and the matter has come before this Court.

Considering the aforementioned facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 39 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

However, it is open to the Opposite Party No. 2 to appear in the Court below to resolve her grievance with regard to payment of any maintenance and/or permanent alimony.

(Anjana Mishra, J)

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