

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75758 of 2019**

Arising Out of PS. Case No.-985 Year-2018 Thana- SITAMARHI COMPLAINT CASE  
District- Sitamarhi

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1. Sadika Khatoon @ Sadikani Khatoon Wife of Md. Akbar Ali Resident of Mehasoul Purvi, Ward No. 7, Mehsaul Urf, Rampur Laxmi, P.O.- Mehsaul, P.S.- Dumra, District- Sitamarhi.
  2. Md. Akbar Ali @ Gonaur Son of Md. Makbul Resident of Mehasoul Purvi, Ward No. 7, Mehsaul Urf, Rampur Laxmi, P.O.- Mehsaul, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash, Advocate  
For the Opposite Party/s : Mr.Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-11-2019                      Petitioner no. 2 has already been arrested. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no. 2.

Prayer is allowed. The anticipatory bail petition of petitioner no. 2 is dismissed as withdrawn as having become infructuous.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner no. 1 apprehends her arrest in **Complaint Case No. C1-985 of 2018**, registered for the offence punishable under Section 498(A) and 34 of the Indian Penal



Code.

The complainant was married with accused Md. Aijaj Ali on 07.08.2017. It is alleged that after marriage, the complainant was subjected to torture and cruelty by the accused persons including petitioner no. 1, on account of insufficient dowry and ultimately, she was ousted from her matrimonial home after snatching her belongings.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner no. 1 is mother-in-law of the complainant. Petitioner no. 1 is living separately from the complainant and her husband. Petitioner no. 1 has no concern with the family affairs of the complainant and has no criminal antecedent.

Considering the facts aforesaid, the petitioner no. 1 Sadika Khatoon @ Sadikani Khatoon, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with **Complaint Case No. C1-985 of 2018**, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, her bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Prabhat Kumar Singh, J)**

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