

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76004 of 2018

Arising Out of PS. Case No.-491 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Md. Dildar son of Late Abdul Rahman
 2. Md. Roshani @ Raushani @ Fancy, wife of Md. Dildar
Both of Resident of Village- Barri, P.S. Benipatti, District- Madhubani,
wrongly address in complaint case, Resident of Village- Bhanaspatti, P.S.-
Runnisaidpur, District- Sitamarhi.
 3. Jumaida Khatoon @ Jubaida Khatoon, wife of Md. Anjar Resident of Village-
Bhanaspatti, P.S. Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shairo Khatoon, wife of Dildar, D/o Late Md. Gafur, Resident of Village-
Bhanaspatti, P.S. Runnisaidpur, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar
For the State	:	Mr. Tarun Prasad Mandal
For the O.P. No. 2	:	Mr. Amrendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-01-2019 Heard learned Counsel for the petitioners, learned
counsel appearing for Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Case No. C1-491 of 2018, disclosing offence under
Section 498A/34 of the Indian Penal Code.

The petitioner no. 1 is the husband of the informant/
Opposite Party No. 2; whereas, petitioner no. 2 is second wife of
petitioner no. 1 and petitioner no. 3 is sister of petitioner no. 1.



Learned Counsel appearing on behalf of the petitioners has drawn my attention to the statement made in paragraph 14 of this application and has submitted that the petitioner no. 1 is ready to bring back Opposite Party No. 2 with all love, respect and dignity and stay with her.

Learned Counsel appearing on behalf of the Opposite Party No. 2 states that she is also willing to stay with the petitioner no. 1.

Considering the above submission, this application is allowed.

Let the petitioners, Md. Dildar, Md. Roshani @ Raushani @ Fancy and Jumaida Khatoon @ Jubaida Khatoon, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sitamarhi, in connection with Case No. C1-491 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners 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.

The Opposite Party No. 2 shall be at liberty to
approach this Court for cancellation of bail if the petitioner no.1
fails to look after her well.

(Chakradhari Sharan Singh, J.)

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