

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29278 of 2019

Arising Out of PS. Case No.-7 Year-2013 Thana- MAHILA P.S. District- Madhubani

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1. Md. Parbej @ Parbej Alam aged 30 years (male) Son of Anis Ahmad, Resident of Village- Nahari, Tola Purab, P.S.- Laukaha, District- Madhubani.
 2. Anis Ahmad aged about 50 years (Male) Son of Late Munsu Rain, Resident of Village- Nahari, Tola Purab, P.S.- Laukaha, District- Madhubani.
 3. Kuraisa Khatoon aged about 45 years (Female), Wife of Anis Ahmad, Resident of Village- Nahari, Tola Purab, P.S.- Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Afasana Khatoon, Daughter of Md. Ali Hussain, Resident of Village- Nawari, P.S.- Laukaha, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9. 18-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Mahila P.S. Case No. 07 of 2013 (GR No. 88 of 2013) registered for the offence under Sections 498(A), 313/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

In this regard, petitioners have brought on record an affidavit filed by the informant/opposite party no. 2 before the court below, which is at Annexure-3 to the petition, and from perusal of the same, it appears that O.P.No.2 does not want to live with petitioner no. 1 and as such, she has accepted divorce.



Thereafter, she has performed second marriage with one Md. Quayum Shah on 02-01-2014 and she is living with him and she does not want to further proceed in the present complaint case.

Considering the aforesaid facts and circumstances as well as Annexure – 3 to the petition, the provision bail granted to the petitioners by this Court, vide order dated 25-07-2019, is hereby confirmed on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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