

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76759 of 2019

Arising Out of PS. Case No.-355 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Bigan Ansari @ Vigan Ansari, Son of Sahebjan Ansari, Resident of Village-Sisahani, P.S.-Kundwa Chainpur, District-East Champaran.
 2. Jehra Khatoon @ Johra Khatoon, Wife of Vigan Ansari @ Bigan Ansari Resident of Village-Sisahani, P.S.-Kundwa Chainpur, District-East Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. Sobina Khatoon, Wife of Karim Ansari, Resident of Village-Sisahani, P.S.-Kundwa Chainpur, District-East Champaran, at present daughter of Md. Ibrahim, village-Bilardah, P.S-Bairginia, District-Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioners and learned A.P.P. for the State. Despite service of notice on opposite party no. 2 she has chosen not to enter appearance in this case.

Petitioners in the present case are father-in-law and mother-in-law respectively of the opposite party no. 2 who are seeking anticipatory bail in connection with Complaint Case No. CI-355 of 2018 registered for the offences punishable under Sections 498A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that so far as these petitioners are concerned, they are maintaining a



separate household and there is no specific allegation of demand of dowry against the petitioners. The marriage had taken place in the year 2012 and the present complaint has been filed making false and frivolous allegations against the family members of her husband alleging that the opposite party no. 2 had been thrown out from the matrimonial house.

Learned A.P.P. for the State is though present but this being a complaint case the opposite party no. 2 has not appeared to oppose this application.

In the given facts and circumstances of the case, where these petitioners are the father-in-law and mother-in-law respectively and they are said to be maintaining a separate household as also the marriage had taken place in the year 2012 and at this stage the complainant-opposite party no. 2 has not appeared to oppose this application, let the petitioners above named in the event of their arrest or surrender within a period of six weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar, Sitamarhi in connection with Complaint Case No. CI-355 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/-

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