

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48391 of 2021

Arising Out of PS. Case No.-504 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

MD. RAFIQUE SAH @ MD. RAFIQUE, Son of Id Mohammad Sah @ Ido
Resident of Village- Mirzapur Chand Tola, P.S. and District- Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. HASBUL KHATOON Wife of Md. Rafique Resident of Village- Mirzapur
Chand Tola, P.S.- District- Madhubani At present D/o Md. Yunus, Resident
of Pato Bishanpur, P.S.- Pato, District- Raj Biraj (Nepal)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Miss Kusum Rani, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-12-2021 Let the defect(s), if any, be removed within four
weeks after complete start of the physical Court.

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 498-A of the
Indian Penal Code.

Considering the background and nature of allegation
of commission of offence under Section 498-A of the Indian
Penal Code, let the petitioner, above named, in the event of his
arrest or surrender before the learned Court below within a
period of thirty days from the date of receipt of the order, be
released on **provisional anticipatory bail** on furnishing bail
bond of Rs. 20,000/- (rupees twenty thousand) with two sureties



of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with C.R. No. 504 of 2019 corresponding to T.R. No. 2988/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall attend the Court on each and every date till confirmation of the provisional bail.

(d) The learned Court-below shall notice both the parties for amicable settlement and if the petitioner would be found cooperative; the learned Court-below shall confirm the provisional bail of the petitioner.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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