

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5274 of 2022

Arising Out of PS. Case No.-14 Year-2020 Thana- MAHILA P.S. District- Sitamarhi

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1. HAZRA KHATOON W/o Md. Haidar
2. Md. Haidar Son of Mansoor Jamal
Both resident of Village - Mehsaul, Ward No.09, P.s.- Sitamarhi,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Khatoon, Wife of Md. Anwar, R/v- Mehsaul, P.S.-Sitamarhi,
District Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-04-2022 Learned counsel for the petitioners is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection

with Sitamarhi Mahila P.S. Case No. 14 of 2020 registered for

the offences punishable under Sections 341/323/498(A)/494/

504/34 of the Indian Penal Code.

Petitioners are the father-in-law and mother-in-law of

the girl (opposite party No. 2) and there is no direct allegations

against them.



Considering the facts and circumstances of the case, the present anticipatory bail application is allowed.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 14/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is submitted by learned counsel for the opposite party No. 2 that Maintenance Case No. 37 of 2020 is pending in the Court of Principal Judge, Family Court, Sitamarhi.

It is directed that son the petitioners and husband of Khushbu Khatoon (opposite party No. 2) will appear in the aforesaid maintenance case on 09.05.2022 and on that date, the Principal Judge, Family Court, Sitamarhi, will thereafter, proceed in the maintenance case and decide the same within three months from today in the light of the judgment of the Supreme Court passed in the case of ***Rajnish vs. Neha & Ors.*** ***[(2021) 2 SCC 324]*** without granting unnecessary adjournments



to either of the parties

Now the parents of the husband of the opposite party
No. 2 has got knowledge of the case and they undertake that
their son will appear in the aforesaid maintenance case on
09.05.2022.

(Sandeep Kumar, J)

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