

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29761 of 2021**

Arising Out of PS. Case No.-40 Year-2018 Thana- MAHILA P.S. District- Madhubani

1. KAJAL @ SALMA BAIGAM W/o Md. Sabir Resident of Village - Deyari, P.S.- Benipatti, Distt.- Madhubani.
2. Samir Son of Md. Sabir Resident of Village - Deyari, P.S.- Benipatti, Distt.- Madhubani.
3. Samim Son of Md. Sabir Resident of Village - Deyari, P.S.- Benipatti, Distt.- Madhubani.
4. Atabul Son of Md. Ramjani Resident of Village - Deyari, P.S.- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

3      02-03-2022              The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Mahila P.S. Case No. 40 of 2018 registered for offence punishable under sections 341, 323, 498(A), 354/34 of the Indian Penal Code.

It is a case of matrimonial dispute. The informant



Samina Khatoon has lodged FIR, stating therein that earlier she has lodged a case against her husband and his family members under section 498(A) of the Indian Penal Code and other allied sections. That case was compromised on the condition that her husband shall bear the expenses incurred on the informant and he will not torture her. It has further been alleged that when she went to her matrimonial house, her husband and other accused persons, including the present petitioners subjected her to cruelty for demand of dowry of Rs.1,00,000/- (one lakh).

The learned counsel for the petitioners has submitted that petitioner no. 1 is second wife of the husband of the informant. Petitioner no. 2 and 3 are sons of petitioner no. 1 and petitioner no. 4 is their co-villager. They have no concern with the alleged occurrence. He has further submitted that the husband of informant Md. Sabir has already filed a separate anticipatory bail petition, which is pending in this Court.

Considering the above mentioned facts and circumstances, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Madhubani in



connection with Mahila P.S. Case No. 40 of 2018, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey , J)**

Mahesh/-

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