

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35516 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- SINGHWARA District- Darbhanga

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1. Kalimuddin @ Md. Kalimuddin, son of Md. Azim.
 2. Md. Sirajuddin, S/O Kalimuddin @ Md. Kalimuddin.
Both resident of Village - Sanahpur Bujurg (Ushraha Tol), P.S-
Singhwara, District - Darbhanga.

... .. Petitioners

Versus

1. The State of Bihar
2. Nargis Khatoon, W/O Md. Sarfaraj, R/O Village - Sanahpur Bujurg
(Ushraha Tol), P.S-Singhwara, District - Darbhanga.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Vinay Kumar Mishra, Advocate
For the State	:	Mr. Mukeshwar Dayal, APP
For the Informant	:	Mr. Md. Harun Qareshi, Advocate
		Md. Nasrul Hoda Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 03-03-2022 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Singhwara P.S. Case No. 19 of 2021 for the offence punishable
under Sections 323, 341, 498A, 504/34 of the Indian Penal Code
and under Sections 3/4 of the Dowry Prohibition Act.

At the very outset, learned counsel for the
petitioners submits that the petitioners are ready to provide a
separate household to the opposite party no.2 so that she can
live her life with her husband. He further submits that that the
opposite party no.2 has not made her husband accused and has



made the petitioners accused due to malafide intention.

Considering the aforesaid submissions and also the fact that the petitioners are ready to provide a separate household to opposite party no.2, this bail application is allowed.

Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga, in connection with Singhwara P.S. Case No. 19 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Initially, the Court below shall release the petitioners on interim bail and only after the opposite party no.2 certifies that a separate household has been provided to her, the interim bail of the petitioners shall be confirmed. In case, the separate household is not provided by the petitioners to the opposite party no.2, in such circumstances, the court below shall cancel the interim bail of the petitioners.

After the separate household is provided by the petitioners to the opposite party no.2 and the parties settle their



disputes, it is desirable that the Court below will allow the informant to withdraw the F.I.R. in the interest of justice.

(Sandeep Kumar, J)

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