

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58282 of 2021

Arising Out of PS. Case No.-98 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

1. Mubarak Aalam @ Mubarak Hussain Son of Md. Mukim Resident of Village- Rajwara (East Tola), P.S.- Sahebganj, District- Muzaffarpur.
2. Salma Khatoon W/o Mubarak Aalam Resident of Village- Rajwara (East Tola), P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samina Khatoon, W/o Md. Ehsan, resident of village Rajwara, P.S. Sahebganj, District Muzaffarpur at present residing at village Rampurwa, P.O. Manohar Chapra, P.S. Baruraj, District Muzaffarpur in the house of her father, namely, Saukat Mian

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Arun Kumar, Advocate
For the State	:	Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek anticipatory bail in connection with Sahebganj P.S. Case No. 98 of 2021 registered for the offences under Sections 341, 323, 504, 498A and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that though petitioners have not specifically stated that husband of opposite party no.2 is ready to keep her but in paragraph 10 of the bail application, following statements have been made which are as follows:-



“That the petitioners are old person and are ready to abide by all the conditions in granting anticipatory bail.”

In view of the aforesaid statement, the husband of opposite party no.2 is directed to visit his Sasural and take opposite party no.2 with him before 11.04.2022 and thereafter husband and wife will file an application in the Court below that they have amicably settled their disputes and they are staying together. The husband of opposite party no.2 will also provide a separate mobile phone and number to opposite party no.2 from which she can talk to her parents as and when she desires.

On filing of the aforesaid application by both the parties in the Court below, the Court below will release the petitioners on provisional bail for a period of three months on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, (West), Muzaffarpur in connection with Sahebganj P.S. Case No.98 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Till filing of the application by the opposite party no.2 and her husband in the court below, the petitioners shall not be arrested in connection with aforesaid case.



It is made clear that for non compliance of this order,
bail bond of the petitioners shall stand automatically cancelled.

This application is, accordingly, disposed of.

(Sandeep Kumar, J)

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