

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60703 of 2023

Arising Out of PS. Case No.-135 Year-2015 Thana- NAUHATTA District- Saharsa

1. Samina Khatun Wife Of Subhan Nadaf Resident Of Village- Nauhatta Purvi, Ward No. 6, PS- Nauhatta, Distt- Saharsa
2. Jarina Khatun Wife Of Mohammad Bikakan Resident Of Village- Eidgah Tola, Ward No. 22, Ps- Supaul, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyam Anand, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Nauhatta PS Case No 135 of 2015, dated 16-06-2015 registered for the offence punishable under Sections 341,323,354,307,504 and 34 of the Indian Penal Code.

3. The petitioner Nos 1 and 2 are mother-in-law and sister-in-law (*Nanad*) of the informant, who has alleged that these petitioners have assaulted when she has made a demand for maintenance of her children.

4. It is submitted by the petitioners' counsel that the prosecution was initiated on misconception. The parties have



subsequently resolved the issue and the informant is presently residing with the family of the instant petitioners in conjugal bliss. The petitioners have no antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, Annexure-2 to the anticipatory bail petition, which is a certified copy of the compromise petition filed by the parties in the learned Court below and the relationship of the petitioners with the informant, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 CJM Saharsa, in connection with Nauhatta PS Case No 135 of 2015,, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors



will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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