

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66717 of 2022**

Arising Out of PS. Case No.-723 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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MOHAMMAD ISMILE Son of Mohammad Israil Mian Resident of Village-
Seema, P.S.- Silao, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Fatima Praveen Daughter of Md. Allauddin Resident of Village-
Dargha Road, Post- Mahendru, P.S.- Sultanganj, District- Patna, Pin Code-
800006

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 25-04-2023 Heard both the parties.

2. The petitioner seeks bail in anticipation of his arrest
in connection with Complaint Case No. 723 of 2021, dated
25.08.2021, instituted for the offences under Sections 498A of
the I.P.C.

3. Learned APP for the State opposes the prayer for
grant of bail.

4. Learned counsel submits that the allegations against
the petitioner under Section 498A are based upon a typed
complaint. Without commenting further on the merits of the
case, I am inclined to grant anticipatory bail to the petitioner,



namely, Mohammad Ismile, and in the event of arrest, he shall be released on bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are held as under:-

(i) The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

(iii) The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

(iv) The petitioner shall maintain law and order;

(v) The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

(vi) The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;



(vii) The petitioner shall regularly remain present during the trial and cooperate with the Hon’ble Court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 84

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