

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25420 of 2024**

Arising Out of PS. Case No.-415 Year-2023 Thana- GAYA COMPLAINT CASE District-  
Gaya

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1. Asmat Tarique W/o Syed Tarik @ Syed Md. Tarik R/o vill - Vidya Sagarpur, More, more India, P.S. - Mednipur, Distt. - Kargpur (W.B)
  2. Syed Kamal Ahmad S/o Late Syed Wali Ahamad R/o vill - Vidya Sagarpur, More, more India, P.S. - Mednipur, Distt. - Kargpur (W.B)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazia Khanam W/o Syed Danish Irfan, D/o Md. Salim R/o Mohalla - Panchaiti Akhara, Ganga Mahal, P.s.- Kotwali, Distt. - Gaya

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate  
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-05-2024                      Heard Mr. Sharda Nand Mishra, learned counsel for the petitioners Mr. Sanjay Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 415 of 2023 for the offences punishable under Sections 498(A) and 120(B) of the Indian Penal Code.

3. According to prosecution case, these accused persons have pressurized the complainant to resign from her job and to reside only at her matrimonial house.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that petitioner no. 1 is mother-in-law and petitioner no. 2 is maternal uncle of the complainant. He further submits that it appears from the complaint petition that there is no specific allegation rather there is general and omnibus against all the accused persons including these petitioners. He further submits that presently the case of the son of the petitioner no. 1 who also happens to be husband of the complainant is before the learned Mediator, Patna High Court for settlement of dispute between the parties.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is no allegation of assault, overt act or demand of dowry against these petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 1<sup>st</sup> Class, Gaya in connection



with Complaint Case No. 415 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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