

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63364 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BARSOI District- Katihar

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1. Md. Zakir, Son of Late Jamalluddin, Resident of Village - Baniya Toli, P.S.- Barsoi (Sudhani O.P.), District - Katihar.
 2. Ruhi Khatoon, Wife of Md. Zakir, Resident of Village - Baniya Toli, P.S.- Barsoi (Sudhani O.P.), District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Musraf Praveen, Wife of Md. Jakir, Resident of Village - Baniya Toli, P.S.- Barsoi (Sudhani O.P.), District - Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 1. Heard Mr. Bhola Prasad, learned counsel for the petitioners and Mr. Ramchandra Sahni, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Barsoi (Sudhani O.P.) P.S. Case No. 34/2024 dated 05.02.2024 registered for the offences punishable under Sections 341, 323, 498(A), 504 and 506 read with Section 34 of the Indian Penal Code.

3. Learned counsel appearing for the petitioners submits that the O.P. No. 2 (informant) claimed herself as wife of the petitioner No. 1 but there is no such relationship between



the petitioner No. 1 and the informant and in this regard, the FIR in itself is clear as the informant had accepted that the petitioner No. 2, namely, Ruhi Khatoon is wife of the petitioner No. 1. Though as per the Muslim Personal Law, a muslim male is permitted to marry more than one lady but the petitioner No. 1 is not accepting the alleged matrimonial relationship with the informant and further, there is no specific allegation against both the petitioners and altogether eight persons, including the petitioners, have been made accused by the informant without disclosing any specific role of any of them in the alleged commission of cruelty with her.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the nature of allegation appearing against both the petitioners coupled with their fair and clean antecedent, this Court is inclined to accept their anticipatory bail prayer. Accordingly, let both the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Barsoi (Sudhani O.P.) P.S. Case No. 34/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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