

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29870 of 2015

Arising Out of PS.Case No. -622 Year- 2015 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Md. Mumtaz Son of Safi Ahmad @ Md. Muskim resident of village -
Makhachak, P.S. Bakhari, District - Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. Chandani Khatoon Daughter of Late Shamsheer resident of village -
Khaikhan, P.S. Nawkhoti, District - Begusarai

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Yogesh Kumar, Advocate.
For the Opposite Parties : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-10-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 622C of 2015, registered for the offence punishable under
Section 498(A) of the Indian Penal Code.

The wife complainant made allegation that the
petitioner subjected her to physical and mental torture and drove
her out from the house. The petitioner also solemnized second
marriage with Mustari Khatoon.

Learned counsel for the petitioner submits that the
petitioner never tortured his wife and he filed a petition before the
Gram Panchayat. The petitioner has already divorced his wife and
Panchnama was recorded on non-judicial stamp.

On the other hand learned counsel for the complainant as well as the learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

It appears that the complainant has made very specific allegation that the petitioner not only assaulted her, but her son also was assaulted. The petitioner manufactured the document as it appears from the order of the learned Sessions Judge, that the stamp was purchased by Chandni Khatoon, wife of the petitioner but the petitioner himself put his signature in the register of the vendor.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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