

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38850 of 2014

Arising Out of PS.Case No. -1347 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Umar Mansuri S/o Late Karim Mansuri Resident of Village Balu
Tola, P.S. Falka, District Katihar..... Petitioner/s

Versus

1. The State of Bihar.

2. Basima Khatoon @ Chutti Khatoon W/o Md. Umar Mansuri, D/o Akhtar
Mansuri Resident of Village Babu Tola, P.S. Falka, District Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Rajesh Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-04-2015

Heard learned counsel for the petitioner, learned

counsel representing the State and learned counsel for the
complainant.

Petitioner apprehends his arrest in connection with
Complaint Case No. 1347 of 2013 in which cognizance has been
taken under Sections 498A/34 of the Indian Penal Code.

Allegedly, the complainant was married with the
petitioner in the year 2011 and after sometimes the petitioner
started demanding Rs. 1,00,000/- and due to non-fulfillment
tortured her, did not get her treated by doctor and attempted to kill.

Submission is of false implication and that no
marriage has been solemnized, false paper of marriage has been
produced and there is no L.T.I. of the petitioner. Earlier a false

case under Section 376 of the Indian Penal Code was lodged against the petitioner by the complainant which after investigation has been found to be false, and as such, the story of marriage as propounded appears to be not tenable and only with a view to extract money this case has been lodged to which the learned APP duly assisted by the learned counsel representing the complainant opposes by submitting that there is signature on Nikahnama and there is allegation of demand of dowry.

Considering that earlier Falka P.S. Case No. 237 of 2011 was registered under Section 376 and other allied sections of the Indian Penal Code against the petitioner which after investigation has been found not true and again this case has been lodged, and as such, in the peculiar facts and circumstances, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar in connection with Complaint Case No. 1347 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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