

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9420 of 2017**

Arising Out of PS. Case No.-2361 Year-2014 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

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Mantajul Miya son of Muharam Miya, resident of village Deurwa, Post Parsa,  
Police Station Bhairganj, District West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar  
2. Noor Shaba Khatoon wife of Mantajul Miya, daughter of Habib Miya,  
resident of village Gaunaha, Post Gaunaha, Police station Gaunha, District  
West Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satyendra Rai, Advocate  
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      19-09-2017              Heard learned counsel for the petitioner, learned APP for  
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case  
registered under Section 498A of the Indian Penal Code and 4 of  
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture  
upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation  
of tampering of witnesses alleged against the petitioner. The  
petitioner has falsely been implicated in the present case due to  
petty family dispute. The case is triable by the Magistrate. The



petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint case No.2361C of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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