

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36402 of 2017

Arising Out of PS.Case No. -587 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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MUMTAJ KHAN @ MD. MUMTAJ KHAN, S/o- late Wahab Khan, R/o-
Mohala Saiyad Bara, Gajipur, P.S. Sadar Gajipur, District- Gajipur, Uttar
Pradesh.

.... Petitioner

Versus

1. State of Bihar
2. Rajiya Khatoon, W/o- Mumtaj Khan, D/o- Jahir Khan, R/o- Mohala
Saiyad Bara, Gajipur, P.S. Sadar Gajipur, District- Gajipur, U.P. at
present Patelwa, P.S. Mohania, District Kaimur at Bhabhua.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 587 of 2016 for the offence instituted
under Section 498A of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

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



family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 587 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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