

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48329 of 2017**

Arising Out of PS.Case No. -37 Year- 2017 Thana -MAHILA P.S. District- NALANDA  
(BIHARSHARIFF)

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1. MUJAHU UDDIN HUSSAIN @ MD. MOHAHID S/o Alauddin,  
Resident of Village-Phatehpur Bazar, P.S.-Phatehpur Bazar, Dist.-Gaya.

.... .... Petitioner

Versus

1. The State of Bihar  
2. Sahla Praveen Daughter of Muzzufar, Resident of Village-Haidarganj  
Karah, P.S.-Silaw, Dist.-Nalanda.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Ganesh Sharma  
For the Opposite Party/s : Mr. Ganesh Prasad Singh

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

2      12-10-2017                      Heard learned counsel for the petitioner, learned  
  
counsel for the Opposite Party No.2 and learned counsel for the  
  
State.

The petitioner seeks bail in a case instituted under  
  
Sections 498(A), 494, 323, 341, 504, 506 of the Indian Penal Code  
  
and 3/4 of D.P. Act.

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 is in custody since 30.06.2017. 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. 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 and counsel for the Opposite Party No.2, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing 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., Nalanda at Biharsharif, in connection with Mahila P.S. case No.37 of 2017.

**(Sudhir Singh, J)**

Amit/-

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