

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5620 of 2018

Arising Out of PS. Case No.-1799 Year-2016 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Mahboob Alam @ Munna, son of Late Md. Yunus resident of Mohalla-
B/2/1/H/4 Maulana Abul Kalam Azad Sami Road, Kolkata- 11, P.S.- Narkul
Danga, District- Kolkata.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shama Praween, Wife of Mahboob Alam @ Munna D/o Abdul Karim,
Resident of Village- Sadapur Mahua, P.S.- Mahua, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shashi Shekhar Sharma, Adv.
For the State	:	Mr. Ajay Kumar Jha, APP
For opposite party No.2	:	Mr. Ramesh Kumar Choudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-04-2018 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.

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, it is submitted that the petitioner is
named in the complaint case.

Considering the aforesaid facts and circumstances, the
provisional anticipatory bail granted to the petitioner by order
dated 09.02.2018 is, hereby, confirmed in connection with
Complaint case No.1799 of 2016 pending in the court of Miss
Seema Kumari, J.M., 1st class, Vaishali, Hajipur.

If so advised, the opposite party No.2 will be at liberty
to approach the Family Court with competent jurisdiction for
redressal of her grievance.

Narendra/-

(Sudhir Singh, J)

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