

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56260 of 2018**

Arising Out of PS. Case No.-1478 Year-2017 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Md. Mahbul Haque @ Md. Mahabul Haque @ Mahbul Haque son of Late Suleman Ali Resident of Village - Daulatpur, Police Station - Harischandrapur, District Malda (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mina Hamid wife of Md. Mahbool Haque, daughter of Jalaluddin presently residing at village - Chilchnia, Police Station Amdabad, District Katihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Hussain  
For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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

2      25-09-2018                      Heard learned counsel for the petitioner and learned  
  
APP for the State.

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, 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 S.D.J.M., Katihar in connection with Complaint case No. CA-1478 of 2017, 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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