

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6794 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

MOHIDDIN KHAN @ MOIUDDIN KHAN @ MOHIT KHAN Son of
Rustom Khan Resident of Village - Sawath, P.S.- Durgawati, Distt - Kaimur
(Bhabua).

... .. Petitioner/s

Versus

1. THE State of Bihar.
2. Yasim Khatoon Wife of Mohiddin Khan, D/o Deewan Mustaffa Khan
Presently Residing Vill - Biur, P.S.- Chainpur, Distt - Kaimur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 323, 498A/34, 504/34 of the Indian Penal Code
and ³/₄ Muslim Women Protection of right Act.

Allegation against petitioner is of torturing the
informant for non-fulfillment of demand of dowry and she was
ousted from her matrimonial house.

It has been submitted on behalf of petitioner that he is



innocent and has falsely been implicated in this case. It has been further submitted that informant had earlier also filed complaint case No. 714/2019 and Domestic Violence Case No. 721/2019 against the petitioner. Petitioner is ready to keep his wife with full dignity and love but informant does not want to lead her conjugal life with the petitioner.

It has come in the impugned order that petitioner had gone to his Sasural to bring back his wife but she refused to accompany her to her matrimonial home.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhabua, Kaimur, in connection with Bhabua Mahila P.S. Case No. 70 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/rajiv-

U		T	
---	--	---	--

