

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4111 of 2023

Arising Out of PS. Case No.-79 Year-2021 Thana- MAHILA P.S. District- Rohtas

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MUMTAZ ALAM @ MUMTAZ @ MD. MUMTAJ Son of Salauddin Khan
R/o Mohalla- New Kazi, P.S- Aurangabad (Town) Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahezabeen Khatoon Wife of Mumtaz Alam , D/o Shakir Khan R/V-
Nimiya Tikri Akbarpur, P.s-Rohtas, Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Singh, Advocate
For the Informant	:	Mr. Vinay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 498(A), 323, 341, 506/34
of the Indian Penal Code as well as under Section 3/4 of the
Dowry Prohibition Act.

It is a case of dowry.

The prosecution story, in brief, is that all the accused
persons including the petitioner tortured the victim due to non
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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. Petitioner has got clean antecedent.

On behalf of the learned counsels for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged 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 J.M.-1st Class, Sasaram in connection with Mahila P.S. case no. 79 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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