

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45067 of 2023

Arising Out of PS. Case No.-491 Year-2022 Thana- MUFFASIL District- West Champaran

MD. MAQBOOL @ MD. MAQBOOL HASAN Son of Late Md. Mogis
Resident of village-Beldari, Police Station-Muffasil, District-West Champaran
at Bettiah

... .. Petitioner/s

Versus

1. The State of Bihar
2. MD. MOJIBULLAH Son of Late Alijaan Resident of village-Baradih
Bairiya, Police Station-Kesariya, District-West Champaran at Bettiah

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 17-10-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as well as learned

counsel for the informant.

2. The petitioner is in custody since 27.02.2023 in
connection with Bettiah Mufassil P.S. Case No. 491 of 2022
registered for the offence punishable under Sections
363/498(A)/34 of the Indian Penal Code and 3 and 4 of the
Dowry Prohibition Act.

3. As per the prosecution case, the petitioner is
involved in disappearance of his wife. Neither the victim girl
has been recovered nor her deadbody has been recovered.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case. It is submitted
that the victim is staying in Nepal and this is in the knowledge
of the prosecution side and just to harass the petitioner, this false



case has been registered.

5.Learned counsel for the Informant has denied the aforesaid allegations levelled by the accused persons.

6. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

7.I have considered the submissions of the parties.

8.The Superintendent of Police, Bettiah, is directed to constitute a team of officers to locate the girl so that the case may proceed.

9.This application is dismissed for the present with liberty to the petitioner to file a fresh bail application in this Court pursuant to the further investigation to be conducted in accordance with today's order.

10. The Superintendent of Police, Bettiah will file a report after two months with regard to the further investigation done pursuant to today's direction.

11. Let a copy of the order be communicated to the Superintendent of Police, Bettiah through FAX/e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

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