

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59102 of 2022**

Arising Out of PS. Case No.-517 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

MD. MAHBUB ALAM S/o Md. Nejamuddin R/V- Kamalpur, P.S.-
Sanhaulla, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. BIBI FATIMA KHATOON D/o Hafijuddin @ Abdul Hafij Ro Village and
P.O.- Mangachak, P.S.- Sanhaulla, Distt- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehend his arrest in connection with
Complaint Case No.517 of 2017, registered for the offences
punishable under Sections 323, 498A, 34 Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

The petitioner, who is husband of the complainant,
alongwith other in-laws tortured the complainant physically and
mentally for non-fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got one criminal
antecedent as stated in paragraph-3 of the bail petition. It is further
submitted that for the same occurrence and for the similar set of



allegations, O.P. No.2 has filed two criminal cases against the petitioner and his father, one is the present complaint and another is Sanhaulla P.S. Case No.70 of 2019 dated 18.05.2019. It is further submitted that the petitioner was in judicial custody in connection with Sanhaulla P.S. Case No.70 of 2019 and after compromise the petitioner was granted bail. Learned counsel for the petitioner submits that O.P. No.2 has solemnized second marriage on 14.08.2021 with one Md. Manir.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur in connection with Complaint Case No.517 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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

