

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9576 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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MD. MOKHTAR S/O- MD. IBRAHIM @ MOHAMMAD IBRAHIM R/O-
VILLAGE- AJAYBGANJ, P.S.- BHAGWAN BAZAR, DIST.- SARAN,
CHAPRA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NEHA KHATOON W/O- MD. MOKHTAR R/O- VILLAGE-
AJAYABGANJ, P.S.- BHAGWAN BAZAR, DIST.- SARAN. CHAPRA. AT
PRESENT RESIDENT OF DAULATGANJ MIRCHAIYA TOLA,
DAULATGANJ, P.S.- BHAGWAN BAZAR, DIST.- SARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Krishna Kumar Yadav, Advocate
For the State	:	Mr. Gulnar Begum, APP
For Opposite Party No.2 :		N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-07-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 323 and 498A of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

4. As per prosecution case, this petitioner is alleged to
have committed torture and harassment with the



informant/Opposite Party No. 2 due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the informant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the informant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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**.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 learned S.D.J.M., Saran at Chapra, in



connection with Complaint Case No. 176 of 2023, subject to
condition as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Prabhat Kumar Singh, J)

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