

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46407 of 2024**

Arising Out of PS. Case No.-836 Year-2017 Thana- COMPLAINT CASE District-  
Kishanganj

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Md. Mohiuddin @ Mohiuddin S/O Hafiuddin @ Atwari R/O Village-Sontha  
Yakub Tola,P.S.-Kochadhaman, Distt-Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rosan W/O Mohiuddin R/O Village-Bagmara, P.S.-Kochadhaman, Distt-Kishanganj

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      23-09-2024                      Despite valid service of notice, no one appears on  
behalf of the Opposite Party No. 2.

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

3. The petitioner apprehends his arrest in connection with  
Complaint Case No. 836-C of 2017 offences punishable under  
Sections 498A of the Indian Penal Code.

4. The prosecution story, in short, is that complainant got  
married with this petitioner on 08.05.2016 and after marriage,  
complainant was tortured mentally and physically. On  
15.11.2017, all the accused persons assaulted complainant for  
non-fulfillment of dowry and ousted her with child from the



house.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to ulterior motive. Further submission is that petitioner is husband of complainant. It is further submitted that petitioner filed a Complaint Case No. 567-C of 2016 against complainant and others with allegation that his brother-in-law namely Faruque along with complainant came at the house of petitioner and requested him to keep complainant with himself for some treatment. On 08.05.2016, the accused persons prepared a false *Nikahnama* of the petitioner on threat. The learned Court below has also taken cognizance on 21.02.2017 against the complainant and others. Petitioner is ready for the settlement. Petitioner claims clean antecedent.

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

7. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No. 836-C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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