

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48760 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- MAHILA P.S. District- Muzaffarpur

Md. Reyaj son of Md. Sultan Village- Brahmpura Karman Po- Brahmpura Ps-
Motipur Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noorjahan Khatoon wife of Md. Reyaj Village- Brahmpura Karman Po-
Brahmpura Ps- Motipur Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-10-2024 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
A.P.P. for the State.

3. The petitioner apprehends his arrest in connection with
Muzaffarpur Mahila P.S. Case No. 46 of 2023 offences
punishable under Sections 498A, 34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

4. As per prosecution case, allegation against the
petitioner is of matrimonial cruelty and demand of dowry.

5. Learned counsel appearing on behalf of the petitioner
submits that petitioner happens to be husband of the



complainant and present case has been lodged due to petty family dispute. Allegation of assault and demand of dowry is general and omnibus. It is further submitted that petitioner is ready to keep the complainant/opposite party no. 2, 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. Having considered the aforesaid facts and circumstances of the case, the provisional bail granted earlier to the petitioner *vide* order dated 08.08.2024 is, hereby, confirmed.

(Prabhat Kumar Singh, J)

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