

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1629 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Minhaj Alam @ Minhar Alam S/o Firoz Alam R/o Village- Charaiya, Ward
No.07, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bano Begum W/o Md. Dildar R/o Village- Charaiya Ward No.07, P.S.-
Kochadhaman, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar , Advocate
For the Opposite Party/s : Mr. Manoj Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-04-2025 Heard learned counsels for the parties. Despite

valid service of notice , nobody appears on behalf of Opposite

party No. 2.

2. The petitioner apprehends his arrest in a complaint
case registered for the offence punishable under Sections 323,
341 , 379, 498A , 504, 506 and 34 of IPC .

3 . The prosecution case , in brief, is that the marriage
of daughter of informant was solemnized with this petitioner
and after marriage, complainant went to house of her in-laws
where , all the accused persons, including this petitioner,
tortured and harassed daughter of informant for dowry . It is
further alleged that on 24.03.2024 , all the petitioner assaulted



daughter of informant with lathi, danda due to which she sustained head injury and was forced to leave her matrimonial house .

4. It is submitted by learned counsel for the petitioner that the petitioner is husband of daughter of informant. Petitioner is innocent and has committed no offence . Petitioner has never tortured or harassed the victim. It is lastly submitted that the case is triable by the Magistrate . In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*. Petitioner claims clean antecedent.

5 . On the other hand, learned A.P.P. for the State vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, clean antecedents of the petitioner and other circumstances of the case , the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner 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 Chief Judicial Magistrate Kishanganj in connection with Kochadhaman P S Case No. 38 of 2024 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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