

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32571 of 2024

Arising Out of PS. Case No.-75 Year-2014 Thana- MAHILA PS District- Jamui

Md. Mumtaz Alam Son of Md. Murtaza Resident of Village- Arha, P.S-
Chandradeep ,Dist- Jamui

... .. Petitioner

Versus

1. The State of Bihar
2. Rokaya Khatun, Daughter of Md. Ekbal And Wife of Md. Mumtaz, Resident of Paternal Village - Adsar, P.S. and District - Jamui, Presently remarried with Aftab Alam, Resident of Village - Chamandiha, P.S. and District - Nawada

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Amar Prakash, Advocate

For the Opposite Party/s : Mr.Mohammed Arif,APP

Mr. Pramod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner,learned APP

for the State and learned counsel for the informant.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Jamui Mahila P.S. Case No. 75 of 2014 registered for the offences punishable under Sections 323, 341, 504, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioner is to commit mental and physical cruelty upon the informant due to non-fulfillment of demand of dowry as raised for a cash of Rs. Two Lakhs.



4. Learned counsel appearing on behalf of the petitioner submitted that subsisting present marriage with petitioner, the informant solemnized marriage with another person with whom she was in love and to dilute her illegal act, the present false case was lodged against the petitioner.

5. It is submitted that even the allegation of demanding dowry and committing mental and physical cruelty appears very much general and omnibus in nature. Petitioner claimed clean antecedent.

6. Learned A.P.P. for the State is present.

7. Mr. Pramod Kumar, learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, fairly conceded that informant already solemnized her marriage with another person without getting her marriage dissolved with the petitioner in accordance with law.

8. In view of the aforesaid factual submissions and by taking note of the fact as allegation *qua* mental and physical cruelty appearing very much general and omnibus in nature, coupled with the fact that informant solemnized marriage with



another person subsisting her marriage with this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jamui/concerned court in connection with Jamui Mahila P.S. Case No. 75 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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