

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.67089 of 2018**

Arising Out of PS.Case No. -1181 Year- 2014 Thana -PATNA COMPLAINT CASE District-  
PATNA

=====

Md. Saddam, Son of Md. Kamal, Resident of Mohalla- Khajpura Raja  
Bazar (House of Md. Chhotu), Police Station-Hawai Adda, District-Patna.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Asharfi Khatoon @ Guria, Wife of Md. Saddam, D/o Late Md. Sarfuddin, Resident of Mohalla-Shahganj Gali House, Jitat Kausar @ Md. Beena Khatton, Police Station-Sultanganj, District-Patna.

.... .... Opposite Parties

=====

**Appearance :**

For the Petitioner : Mr. Dr. Manoj Kumar, Advocate.

For the State : Mr. Khurshid Anwar, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      05-11-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 498(A), 323 of the IPC and  
¾ of the D. P. Act.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the victim due to non-  
fulfilment of demand of dowry.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There  
is no allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has further relied upon the 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.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Patna City, in connection with Complaint Case No. 1181 (C) of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

**(Sudhir Singh, J)**