

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43999 of 2018

Arising Out of PS. Case No.-788 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Saddam Hussain S/o Bishun Gaddi, R/o Vill.- Khalwapatti, Post -Kathar, P.S.-
Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sakeena Khatoon W/o Saddam Hussain, D/o Amin Miyan, R/o Khalwapatti,
Post Office-Kathar, District- West Champaran, at present R/o Barwa, Post
Office Kathar, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin
For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for O.P. No. 2.

Counsel for the petitioner is permitted to make
necessary correction in paragraph 1 of the application in course
of the day.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498(A), 341, 307 of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in which
cognizance has been taken under section 498A IPC.

Allegation against the petitioner is of committing
torture and assault upon the victim due to non-fulfilment of
demand of dowry.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of 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 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 State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned A.C.J.M. 1st, Bagaha, West Champaran in connection with Complaint Case No. 788(C)/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the



matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Sudhir Singh, J)

Pankaj/-

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