

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56266 of 2018

Arising Out of PS. Case No.-1010 Year-2017 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Md. Saddam son of Md. Yunus, resident of Village- Sarauni, P.S. Basnahi,
District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gulshan Khatoon, Wife of Md. Saddam, D/o Md. Alam, resident of Village-
Kash Nagar Bazar, P.S. Sonbasha Raj, District- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-11-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 342, 498A, 379, 504 and 34 of the Indian Penal
Code.

Allegation against the petitioner is of committing torture
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, the provisional bail granted to the petitioner by order dated 20.09.2018 to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 1010/2017 is hereby confirmed.

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)

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