

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11709 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- MAHILA P.S. District- Bhojpur

SADDAM HUSSAIN, Son of Nasir Sah, resident of Village-Sasaram
Morsarai, P.S.-Sheosagar, District-Rohtas.

... .. Petitioner

Versus

1. The State of Bihar
2. Gulfasa Bano, Wife of Saddam Hussain, resident of Village-Sasaram
Moresarai, P.S.-Sheosagar, District-Rohtas at present D/o Ashlam Sah,
resident of Village-Purani Police Line, Mansa Pandey Bag, P.S. Ara Town,
District-Bhojpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar
For the Opposite Party/s : Mr.Bharat Bhushan (App156)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-07-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhojpur Mahila P.S. Case No. 65 of 2018 registered for the offences punishable under Sections 498A, 379/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband of the informant, is that for the demand of Rs.1 lac and one motorcycle he subjected the informant-wife to physical torture and cruelty.

Earlier the matter was referred to the Patna High Court Mediation and Conciliation Centre. However, the Mediator's report disclosed that in spite of best efforts



mediation failed.

Submission of learned counsel for the petitioner is that he has falsely been implicated and there is no such demand by the petitioner. On the other hand, learned counsel for opposite party No.2 has opposed the prayer for anticipatory bail on the ground that petitioner subjected the informant to cruelty and torture with respect to demand and petitioner is not ready for one time settlement.

Heard learned APP also.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Hence this application is dismissed.

However, it is open to the petitioner to appear before the court below with opposite party No.2 with a prayer that he is ready to keep the informant with him with dignity and care, which shall be considered by the court below while considering the bail application of the petitioner.

(Vinod Kumar Sinha, J)

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