

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76514 of 2018

Arising Out of PS. Case No.-234 Year-2011 Thana- CHAKIA District- East Champaran

Saddam Hussain Son of Abdul Rahman, Resident of Village- Ramdiha, P.O.
and P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chakia P.S. Case No. 234 of 2011 for the offence punishable
under Sections 302, 201/34 of the Indian Penal Code.

The allegation in the FIR by the informant is that his
daughter was married with the petitioner herein. However, the
said marriage was not to the liking of the mother of the
petitioner and thereafter the daughter of the informant went
missing since about the year 2011. It appears that subsequently
the daughter of the informant, namely, Nazma Khatoon was
recovered by the Police and in her statement made under
Section 164 Cr.P.C. before the learned trial court, she has
specifically stated that she was taken to Mumbai by her husband



i.e. the petitioner herein and sold to some other person who used to regularly commit rape with her.

The learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and no case is made out under Section 302 of the Indian Penal Code inasmuch as the daughter of the informant was recovered by the Police and has been produced before the learned trial court. It is further submitted that the petitioner is languishing in custody since 07.09.2018.

I have heard the learned counsel for the petitioner and gone through the materials on record as also the statement made by the victim lady under Section 164 Cr.P.C. before the learned Magistrate and I find that the allegation levelled against the petitioner is with regard to commission of heinous crime of selling his wife for supposedly prostitution, hence I do not find any merit in the present case.

Accordingly, the prayer of the petitioner for grant of regular bail is rejected.

(Mohit Kumar Shah, J)

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