

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27898 of 2019

Arising Out of PS. Case No.-1128 Year-2016 Thana- COMPLAINT CASE District- Araria

MD. SADDAM Son of Md. Jabbar Resident of Village- Belai, Tirskund, P.S.-
Simraha, District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jamasa Khatun, D/o Md. Washir, Wife of Md. Saddam, Resident of Village-
Aaosari, P.S.- Jogbani, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 1128C of 2016, in which cognizance
has been taken under Section 498-A of the Indian Penal Code.

The allegation against the petitioner, as per the
complaint petition, is that the marriage of the complainant was
solemnized with the petitioner on 09.04.2009. After marriage,
the complainant went to her matrimonial home where accused
persons started assaulting her for want of dowry inasmuch as
further amount of Rs. 50,000/- and a motorcycle were
demanded from the informant and her family members and due



to non-fulfilment of the same, the complainant was tortured mentally and physically and further the accused persons tried to give poison in the meal of the complainant.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case, which has been lodged after a lapse of 7 years of her marriage. He further submits that in fact the petitioner is a daily wage earner and is working outside the State for his livelihood and the complainant and her family members used to pressurize the petitioner to register a sale deed for a piece of land belonging to his father. He further submits that notices were issued to the complainant/ Opposite Party No. 2, but despite valid service of notice, she does not appear before this Court.

After having heard learned Counsel for the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus and further despite valid service of notice, the Opposite Party No. 2 did not appear before this Court, this application is allowed.

Let the petitioner, Md. Saddam, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Sub Divisional Judicial Magistrate,
Araria, in connection with Complaint Case No. 1128C of 2016,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

