

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37039 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA PS District- East Champaran

SADAM HUSSAIN @ SADDAM HUSSAIN Son of Wazir Mian @ Vajir
Miyan Resident of Village-Champapur Tola Purshottampur, P.S-Ramgarhwa,
District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 341, 342, 323, 313, 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

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 is in custody since 17.2.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. There is no medical evidence in support of the offence under Section 313 of the Indian Penal Code. Rest of the offences are 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 F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Mahila P.S. Case No. 24 of 2018.

(Sudhir Singh, J)

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