

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70102 of 2018

Arising Out of PS. Case No.-319 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Md. Saddam, Son of Md. Choote, Resident of Village-Chaknoor, P.S.-
Samastipur Muffassil, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dilip Kumar Roy, Advocate.
For the Opposite Party : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 354, 354(A),
354(B), 504, 506 and 509/34 of the IPC.

The prosecution story, in brief, is that the husband of
the informant, namely, Afsana Khatoon does sewing work at
Kolkata. She lives with her children at her native home. Her
Bhagina, namely, Md. Saddam, Son of Md. Chhote gave
pressure upon her to perform marriage of her daughter Saiyara
Praveen with him then she told that her two more daughters are
older than this girl then why she will marry her. On 01.06.2017
at about 7.30 P.M. Md. Saddam and his mother, namely, Lala,



wife of Md. Chhote came and Saddam again gave pressure that if the informant will not perform the marriage of Sayara Praveen with him then he will kidnap her son Md. Alay and will be done to death and thereafter the informant and her daughter Saiyara were beaten with *Belt* in cruel manner. Md. Chhote, Md. Moti and Saddam threatened the informant that if she will not agree to marry then she will be left in trouble. The said accused persons always abused filthily and misbehaved obscenely and they are always adamant to commit unpleasant occurrence.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Both parties are agnates. Due to previous enmity, the present case has been instituted against the petitioner. Nature of injury is said to be simple. There is no substantive evidence in respect of sexual harassment against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Samastipur, in connection with Samastipur (Muffassil) P.S. Case No. 319 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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