

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48586 of 2019

Arising Out of PS. Case No.-1594 Year-2018 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Saddam Hussain, Son of Nasruddin Sidique, Resident of Village - Banpura,
P.S.- Rasoolpur, Dist.- Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ladli Khatoon, W/o Saddam Hussain, D/o Khalil Mian Resident of Village -
Babhnauli, P.S.- Mairwa, Dist.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 19-02-2020 Heard learned counsel for the petitioner and learned APP

for the State. No one appears on behalf of the opposite party

no.2

The petitioner has filed the instant application for grant of
anticipatory bail apprehending his arrest in a case registered for
the offence(s) under sections 498A, 323, 307 and 406 of the
Indian Penal Code and section 3/4 of Dowry Prohibition Act.

As per allegation in the complaint, marriage between the
opposite party no.2 and the petitioner took place in the year
2016. On earlier occasion, a complaint case was filed against the
petitioner in the year 2017 but the same ended in a compromise
and the opposite party no. 2 proceeded to her in-laws place. It is



stated that once again demand of dowry by way of a four wheeler car started and the accused persons beat up the complainant.

It is submitted by learned counsel for the petitioner that cognizance has been taken in the case only under section 498A of the Indian Penal Code. The financial condition of the petitioner being so poor that he is not in a position to maintain two wheeler and thus, the allegation of demand of four wheeler as alleged in the complaint are preposterous. It is further submitted that no injury report of the complainant has been brought on record and that even in the instant application it has been stated by the petitioner that he is ready to keep his wife with full respect and dignity.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration facts and circumstances of the case, the nature of allegations levelled in the complaint, this Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case no. C-1594 of 2018 is directed to be enlarged



on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Siwan, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

Ankit/-

(Partha Sarthy, J)

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