

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83741 of 2019**

Arising Out of PS. Case No.-166 Year-2018 Thana- COMPLAINT CASE District- Supaul

MD. SADDAM @ SADDAM Son of Md. Samid Resident of Village - Gaddi  
Hanuman Nagar, P.S.- Raghapur, Distt - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajmun Nisha Wife of Md. Saddam @ Saddam, D/o Md. Yunus Resident of Village - Hanuman Nagar, Gaddi, P.S.- Raghapur, Distt - Supaul at present residing at Chhitahi, Hanuman Nagar, P.S.- Bhaptiyahi, Distt - Supaul.

... .. Opposite Party/s

**Appearance :**

|                         |   |                            |
|-------------------------|---|----------------------------|
| For the Petitioner      | : | Mr.Ashok Kumar, Advocate   |
| For the State           | : | Mr.Akbar Ali, APP          |
| For opposite party No.2 | : | Mr. Nafisuz Zoha, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      23-09-2021                      Heard learned counsel for the petitioner, learned APP  
  
for the State and learned counsel for the opposite party No.2  
  
through virtual mode.

Counsel for the petitioner is permitted to make  
  
necessary correction in paragraph 1 of the application.

The petitioner is apprehending his arrest in connection  
  
with Complaint case No.166/2018 registered under Sections  
498A, 504 of the Indian Penal Code and  $\frac{3}{4}$  of Dowry  
Prohibition Act.

Allegation against the petitioner is of committing  
  
torture upon the victim due to non-fulfilment of demand of  
  
dowry.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Supaul in connection with Complaint case No.166/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight



weeks to the satisfaction of the court concerned in connection with the aforesaid case.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

**(Sudhir Singh, J)**

Narendra/-

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