

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21918 of 2020**

Arising Out of PS. Case No.-9 Year-2020 Thana- MAHILA P.S. District- Siwan

SADDAM HUSSAIN Son of Kasim Sah @ Kasim Sai Resident of Village-
Panjwar, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Soniya Khatoon Daughter of Babujan Sai Resident of Village- Panpur Pateji
Tola Bizuliya, P.S.- Assaw, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Javed Aslam
For the Opposite Party/s	:	Mrs. Asha Devi
For the O.P. No.2	:	Mr. Prabhakar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6 27-07-2023 Heard learned counsel for the parties.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 498A of the Indian
Penal Code and u/s $\frac{3}{4}$ of Dowry Prohibition Act.

3. Allegation against this petitioner is of commission
of torture and harassment for dowry.

4. Petitioner is husband of the informant.

5. Petitioner denies the allegation. It is submitted that
informant got married with this petitioner against her will and
she did not want to live with this petitioner. Allegation against
the petitioner is general and omnibus. Petitioner is a daily wage
labourer and as per his financial condition he is unable to pay



any maintenance to his wife.

5. Learned counsel appearing for the informant opposes the prayer for anticipatory bail and submits that there is direct and specific allegation against this petitioner that he tortured his wife for dowry. Petitioner is also not depositing Rs. 10,000/- in the account of informant as per direction give by this court vide order dated 05/04/2022.

6. Considering the nature of accusation, conduct of the petitioner, gravity of the offence and the fact that petitioner is not ready to pay any maintenance to his wife, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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