

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26756 of 2025**

Arising Out of PS. Case No.-1459 Year-2019 Thana- COMPLAINT CASE District- Araria

Abdul Samad @ Samad Ali S/O Aash Mohammad Vill.- Balalnagar, Jhala,  
P.S.- Tedhagachh, Dist.- Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Faride D/O Abdul Salam @ Md. Salam, W/O Abdul Samad R/O Vill.-  
Tengapur, P.S.- Jokihat, Dist.- Araria, At Present- Vill.- Balalnagar, Jhala,  
P.S.- Tedhagachh, Dist.- Kishanganj.

... .. Opposite Party/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Pankaj Kumar Jha, Advocate     |
|                      | : | Mr. Vijay Kishore Bharti, Advocate |
| For the State        | : | Mr. Kanhiya Kishor, APP            |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      20-08-2025                      Heard Mr. Pankaj Kumar Jha, learned counsel for the  
petitioner and learned APP representing the State as also Mr.  
Shashidhar Jha, learned counsel representing the informant.

2. The petitioner is apprehending his arrest in  
connection with Complaint Case No. 1459 of 2019, registered  
for the offence punishable under Sections 323, 341, 498(A) and  
504 of the Indian Penal Code, lodged by the complainant Bibi  
Faride.

3. As per the prosecution story, the informant alleged  
that the marriage was solemnized in the year 2019 and dowry  
was given but later she was tortured for dowry due to non-  
fulfillment, thrown out. This led to the complaint.

4. Subsequently, as the events unfolds the petitioner  
moved before this Court, taken up by a coordinate Bench on



16.05.2025 and the matter was referred to the Mediation Centre.

5. A Mediation Centre Report has come dated 31.07.2025 according to which despite best of effort, it failed.

6. Learned counsel for the petitioner submits that they are bent upon sending the petitioner to jail on one or the other false allegation and in continuation another F.I.R. has been lodged annexed as Annexure-2. Still, he wants to keep his wife with dignity and honor.

7. Learned counsel for the informant on the other submits that before the Mediators he made a categorical statement that the petitioner has solemnized the second marriage, can keep her also as one of his wife. Earlier, also he has tortured forcing her to give out of the board.

8. Considering the submissions of the parties as also the event that has unfolded and the statement of the learned counsel for the informant unrebutted, it would be appropriate that the petitioner seek bail.

9. Accordingly, the bail application stands rejected.

**(Rajiv Roy, J)**

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