

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49040 of 2025

Arising Out of PS. Case No.-639 Year-2023 Thana- BIHTA District- Patna

Md Saddam @ Saddam Husain @ Saddam Ali S/o Yashin Miya @ Md Asim
R/o Vill- Bindaul, P.S.- Bihta, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Nafisu Zzoha, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 304B and 34 of the Indian Penal Code.

3. As per prosecution case, informant, namely Khurshid Alam, alleged that marriage of his daughter was solemnized with this petitioner on 29.07.2021 and thereafter, she was continuously harassed and tortured for dowry by all the accused persons, including this petitioner. It is further alleged that on 21.06.2023 informant got information that his daughter has been killed by strangulation.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has



falsely been implicated in this case merely because he happens to be husband of the deceased. Informant is not an eye witness of the alleged occurrence. Marriage of deceased was solemnized with this petitioner in the year 2021 and during the aforesaid period, no complaint has been made by the deceased with regard to any cruelty, torture or demand of dowry. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with his family members, used to harass and torture the deceased due to non-fulfillment of demand of dowry and on the alleged date of occurrence, all of them have committed murder of deceased by strangulating her. In the *post mortem* report, the cause of death has been opined as asphyxia caused by throttling leading to cardio respiratory failure. The petitioner is husband of the deceased who died unnatural death at her matrimonial house within seven years of marriage.

6. Considering the specific and direct nature of accusation and the fact that petitioner is husband of deceased, who died unnatural death at her matrimonial house, the prayer



for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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