

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-1,
EAST CHAMPARAN, MOTIHARI.**

Anticipatory Bail Petition No. 5839 of 2025

1. Md. Sahabuddin, S/o Abdur Haman alias Abdul Rahaman, Resident of village-
Sarsaula Kurdh, P.S. sheohar, District- Sheohar ----- **Petitioner**

VERSUS

State of Bihar -----**Opp. Party.**

Appearance: -

Counsel for the accused : - Sri Subodh Kumar, Ld. Advocate.
Counsel for the State/O.P. : - Sri Khublal Prasad, Ld. P.P.

Date of Order: 19.03.2026

ORDER

This anticipatory bail petition has been filed on behalf of the above named petitioner, who is apprehending his arrest in connection with Complaint Case No. 2733 of 2024, U/s- 498(A) of I.P.C.. Heard, the Ld. counsel appearing on behalf of petitioner and Ld. P.P. on behalf of State/O.P.

The complainant case in brief as statend in complaint petition is that her marriage was solemnized with the petitioner on 25.11.2010 as per Muslim rites and customs and after sometime of her marriage petitioner along with his family members started demanding Rs. 3,00,000/- and a motorcycle as dowry from the complainant and due to non-fulfillment of said demand, petitioner along with his family members started committing cruelty and torture the complainant followed with assault. Lastly accused persons ousted the complainant from her matrimonial house after snatching her belongings.

Ld. counsel appearing on behalf of accused petitioner has submitted that petitioner is innocent, has falsely been implicated in this case. No other regular or anticipatory bail petition has ever been filed on behalf of the petitioner either before this court or any superior court. Petitioner has no criminal antecedent. Further it has been submitted that the allegations leveled against the petitioner are false and concocted. Petitioner has never tortured the complainant nor demanded dowry. The petitioner is the husband of the complainant. He is ready to abide all the terms and conditions imposed by the court.

On other hand, Ld. P.P(I/C) has vehemently opposed the prayer for anticipatory bail.

Informant along with her Id. Counsel have also appeared before this court and they opposed the prayer of anticipatory bail.

Heard both sides and perused the record. From perusal of record it appears that the allegation brought against the petitioner is very serious in nature. It has been alleged that the petitioner along with his family members have tortured the victim due to non-fulfillment non-fulfillment of dowry, accused persons started committing cruelty and torture the complainant followed by assault. Lastly accused persons ousted the complainant from her matrimonial house after snatching her belongings. From perusal of record it appears that this record was sent to the mediation centre for mediation. Where the petitioner has appeared and submitted that he is ready to keep his wife and the complainant had submitted that she is also ready to live with her husband if the case which he has instituted in Sheohar against her family member is withdrawn. Later on unfortunately the mediation has failed. From the perusal of the record it appears that the dispute in between husband and wife is existing since before. The complainant is present in the court but the petitioner who is the husband of the complainant has not appeared before the court today. From perusal of mediation report it appears that date was fixed for the compromise between both the parties but since last two dates petitioner has not appeared before the mediator at mediation centre for mediation. It appears that petitioner is not willing to keep his wife. Being the husband of the complainant/victim, it is the matrimonial duty and obligation of the petitioner to keep his wife i.e. the complainant/victim with honour and dignity and provide her the basic necessities of life to which he has failed.

Considering the aforesaid facts and circumstances of the case, and nature and gravity of the offence alleged, I am not inclined to grant anticipatory bail to the above named accused petitioner and accordingly, this anticipatory bail petition is hereby **rejected**.

(Dictated)

Sd/-

(Surendra Prasad)

District & Addl. Sessions Judge-1,
Motihari, East Champaran.

Dated: 19.03.2026