

In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan
Anticipatory Bail Petition No. 872/2026
Mahila P.S Case No. 05/2022

Gulam Quadir@ Gulam Abdul Quadir S/o- Md. Sahbadn.....Petitioner
Versus
The State of Bihar.....Opposite Party.

19.05.2026

ORDER

1. Learned counsel for the petitioner moves present anticipatory bail application filed on behalf of the accused-petitioner namely **Gulam Quadir@ Gulam Abdul Quadir** apprehending his arrest in connection with Mahila P.S Case No. 05/2022 registered under section 323, 498(A), 304(B)/34 of IPC.
2. Learned counsel for the petitioner submits that petitioner is quite innocent and falsely been implicated in this concocted case. Learned counsel further submits that previously the prayer of A.B.P No. 1198/2022 was rejected by this learned Court on 17.08.2022 and thereafter accused-petitioner has not filed any type of bail application either regular or anticipatory either before this court or before Hon'ble High Court, Patna. The accused-petitioner has clean past and has no criminal antecedent. Learned counsel further submits that there is no independent witness in this case rather all are interest witness. There is no chance of his absconding and tampering with the prosecution evidence or the witnesses. Thus, learned counsel prays that petitioner may be granted anticipatory bail.
3. On the other hand, learned P.P vehemently opposes the prayer for anticipatory bail and submits that present anticipatory bail petition is not maintainable because at earlier occasion anticipatory bail petition of same petitioner was rejected on merits. The petitioner has filed this present anticipatory bail petition which is not maintainable, and therefore the same may be dismissed.
4. Heard. Perused the record.
5. From perusal of the record, it transpires that this Court *vide* order dated 17.08.2022 in A.B.P No. 1198/2022 had rejected the first anticipatory bail petition on merits filed on behalf of the same petitioner.

As per LCR, the investigation of this case is complete and charge-

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sheet has already been submitted against the petitioner and other co-accused persons. From perusal of record, it transpires that the cognizance was taken against the petitioner and other co-accused u/s 304(B), 498A/34 of IPC and Section 3 of Dowry Prohibition Act *vide* order dated 29.08.2024 and this record was fixed for appearance of the accused-petitioner and others after issuance of summons, but due to non-appearance of petitioner B.W and N.B.W were issued against petitioner and other co-accused by learned Court below. The petitioner caused inordinate delay of 4 years in progress of the case.

6. Therefore, this second anticipatory bail application does not lie on the basis of same ground without change of circumstances. From petition it is clear that petitioner has not mentioned any fresh ground in his second anticipatory bail application.

7. In view of the reasons stated above, present anticipatory bail petition of petitioner is hereby **dismissed as not maintainable.**

(Dictated)

S/d-

(Motish Kumar Singh)

Sessions Judge, Siwan.

19.05.2026