

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25885 of 2025

Arising Out of PS. Case No.-941 Year-2020 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Dilshad Ali S/o Shamshad Ali R/o Village- Kharpakwa, P.S.- Mirganj,
presently living at Ward No. 11, P.S.- Mirganj, Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahana Khatoon Wife of Dilshad Ali R/o Village- Mirganj, Ward No. 2, P.S.-
Mirganj, District- Gopalganj, D/o Jamaluddin, Ward No. 11, Mirganj,
District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Danish Raja, Advocate
For the State	:	Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 941 of 2020, registered
for the offences punishable under Sections 498A and 323 of the
Indian Penal Code.

3. As per allegation, just after the marriage, demand of
additional dowry started and on account of non-fulfillment of
the same, the complainant was subjected to cruelty by the
husband-petitioner and his family members and ultimately, she
was ousted from the matrimonial home.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the complainant is not happy with the marriage and she does not want to live with the petitioner and hence, she has filed the false case. He further submits that the maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Complaint Case No. 941 of 2020, subject to the conditions



as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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