

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31638 of 2025

Arising Out of PS. Case No.-50 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Kamran Kalam Son of Late Md. Kalam Ahmad @ Late Md. Kalam Resident of Village - Sherpur Chhatwara, Police Station - Mahua, District - Vaishali, At present Address - 80 Kolutola Street Kolkata, Police Station - Jorasanko, District - Kolkata, West Bengal, Pin Code - 700073

... .. Petitioner

Versus

1. The State of Bihar
2. Saheena Khatun @ Saheena Parveen Wife of Kamran Kalam Resident of Village - Sherpur Chhatwara, Police Station - Mahua, District - Vaishali (Hajipur). At present address - Daughter of Faheem Ahmad, Village and Post - Udaipur, Police Station and Anchal - Rosera, District - Samastipur, Mobile No.- 9931439168, 8294003710

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ranjan Kumar, Advocate
For the State	:	Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with C.R. No. 50 of 2023, registered for the offences punishable under Sections 498A of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

3. As per allegation, subsequent to the marriage, additional demand of dowry started and on account of non-fulfillment of the same the complainant was subjected to cruelty and ousted from the matrimonial home. As per further



allegation, the father of the petitioner threatened her that he will re-marry the petitioner with some other lady.

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, marriage is not working because the petitioner is not so handsome and hence, the complainant does not want to live with him in her matrimonial home. He also 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 C.R. No. 50 of 2023, 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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