

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33975 of 2025

Arising Out of PS. Case No.-2395 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

=====

Safi Alam S/O Ali Raja Miyan R/O Village- Kalyanpur, P.S.- Barauli
(Madhopur (O.P.), District Gopalganj

... .. Petitioner

Versus

1. The State of Bihar
2. Ambeya Khatoon, W/o Safi Alam, D/o Alijan Miya, Village- Kabilaspur
(Kabilaswan), P.S.- Thawe, District- Gopalganj.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 20-08-2025 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.2395 of 2022, Trial
No.2003 of 2024, filed for the offences punishable under
Sections 498 (A) of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

3. As per allegation, the marriage between the
Informant and the Petitioner was solemnized in the year 2016 as
per Muslim Rites and Customs. However, subsequent to the
marriage, additional demand of dowry started and on account of
non-fulfillment of the same she was subjected to cruelty and



ultimately, she was ousted from his 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, prior to the present Criminal Case, the Petitioner has filed divorce petition against the informant wife on account of adultery, and hence, this false case has been filed.

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 submitting that the Petitioner has subjected the informant to cruelty on account of non-fulfillment of additional demand of dowry and she has been also not given any maintenance from the husband.

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.2395 of 2022, Trial No.2003 of 2024, 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.)

Chandan/-

U		T	
---	--	---	--

