

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48075 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- COMPLAINT CASE - SIKRAHANA
District- East Champaran

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SK. Rahmat @ Rahmat Ali, S/O SK. Syed Resident of Village- Hasanpur
Balua, P.S.- Kundwa, Chainpur, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakshana Khatoon, W/O SK. Rahmat, D/O Yaar Mohammad, Resident of
Village- Hasanpur Balua, P.S.- Kundwa, Chainpur, District- East
Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the State	:	Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail, apprehending his arrest,

in connection with Trial No. 4663 of 2024, arising out of

Sikrahana Complaint Case No. C-85 of 2024, filed for the

offences punishable under Sections 323, 498A and 504 of the

Indian Penal Code and Section 3/4 of D.P. Act.

3. As per allegation, subsequent to the marriage,

demand of dowry of Rs. 2 lac started by the petitioner and his

family members and on account of non-fulfillment of the same,

she was subjected to cruelty and ultimately, ousted from the



matrimonial house.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. As a matter of fact, there is no matrimonial relationship between the petitioner and the complainant and there is false claim that the petitioner is the husband of the complainant. He further submits there is no question of demand of any dowry and committing cruelty against the complainant.

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 antecedent.

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 Trial No. 4663 of 2024, arising out of Sikrahana Complaint Case No. C-85 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)

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