

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9598 of 2026

Arising Out of PS. Case No.-348 Year-2025 Thana- BARACHATTI District- Gaya

Md. Rizwan Alam @ Rizwan Alam @ Md. Rizwan S/O Md. Kayum Alam @
Md. Kayyun Alam @ Md. Kayum Resident Of Village- Bar Bahera, Tola
Hussainganj, P.s.- Sherghati, Dist.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rampravesh Nath Tiwari, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar, APP
For the Informant :	Mr. Rabia Gulnaz, Advocate
	Mr. Ranjana Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 22-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Barachatti P.S. Case No. 348 of 2025 dated
04.10.2025 registered for the offences punishable under Section
126(2), 115, 76, 69, 352, 351(2) and 3(5) of B.N.S. and Section
3 & 4 of the Dowry Prohibition Act.

3. As per the allegation, the marriage of the informant
was fixed with this petitioner in the year 2024 and the alleged
dowry was fixed at an amount of Rs. 1.5 lakhs as well as a
bullet motorcycle. The parties exchanged their telephonic



numbers after which conversation took place. Thereafter, it has been alleged that the informant believed this fact that she would be marrying with this petitioner and pursuant to the belief she entered into physical relationship with this petitioner at her own house. It is further alleged that this petitioner evaded thereafter to marry with the informant on the assurance that first his sister would be married thereafter he would perform marriage with the informant. Thereafter, it has been alleged that Rs. 4 lakhs in cash was given to the family members of petitioner. The marriage of the sister of the petitioner was performed thereafter, even then this petitioner evaded his promise to marry with the informant. The informant was also threatened.

4. Learned counsel for the petitioner has submitted that in fact the present allegation is in the backdrop of non-performance of marriage of petitioner with the informant. It has further been submitted that there was no demand of dowry least to say that any amount was given to him as the allegation with respect to giving of money in cash which the petitioner denies. It has further been submitted that as per the allegation itself the informant has stated that under a belief of marriage she entered into physical relationship with the petitioner, hence physical relationship on false promise of marriage would not be made



out. Learned counsel for the petitioner has submitted that petitioner is although accused in one another case in which the allegation against him was found to be false and a final report in his favour was submitted.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant has submitted that there is clear allegation that the petitioner has entered into physical relationship with the informant on false pretext of marriage, but cannot deny the fact that the amount given was in cash and there is no proof regarding the same.

6. Considering the facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of ten weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Shergahti, Gaya in connection with Barachatti P.S. Case No. 348 of 2025, subject to conditions as laid down under Section 482(2) of the B.N.S.S.

7. It is directed that the petitioner will not threatened



them and will not indulge in such activities, so as to hamper the peaceful life of the informant or her family members. If such complaint is filed, the informant would be at liberty to file an appropriate application before the appropriate forum.

8. The application stands allowed.

(Praveen Kumar, J)

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