

In the Court of Sessions Judge, Darbhanga.**B.P. No. 353/2026**

Qamrul Hoda son of Md. Zakir

R/o Village- Kalyanpur, P.S.- Bhaptiyahi, District-Supal..... Petitioner.

Versus

The State of Bihar..... Opposite Party.

For the petitioner: Sri Bipin Kumar. learned C.L.A.D.C.

For the O.P.(State): Sri A.N. Jha, learned Public Prosecutor.

ORDER

07.05.2026: Application for regular bail has been filed on behalf of the petitioner namely Qamrul Hoda, who is in judicial custody since 31-03-2026 in connection with C.R.No.187 of 2021 corresponding to T.R.No. 78 of 2026 for the offences U/s 498A of the IPC, pressed today.

2. Heard the learned counsel appearing for the petitioner as well as learned Public Prosecutor on behalf of the State.

3. The allegation is that the complainant Rabiya Mowsharin was married with the petitioner as per Mohammedan rituals, but after her arrival to the Matrimonial house she was demanded Rs.10,00,000/- as dowry by the petitioner and others and when she refused petitioner abused and ousted her from the Matrimonial Home and when she went for conciliation, she was again assaulted and ousted, resulting into the present case.

4. It is submitted on behalf of the petitioner that the petitioner is quite innocent, has committed no offence and has falsely been implicated in this case. It has further been submitted that the petitioner is an unfortunate husband of the complainant, who has never been indulged in any act of demanding dowry or torturing the complainant for any purpose rather the complainant herself is a lady of short tempers and she herself did not want to reside with the petitioner and voluntarily left the Matrimonial House and thereafter in order to put pressure the present case has been filed. Further submission is that after taking of cognizance the petitioner was never served with a personal service resulting into issuance of processes and along with proclamation against the petitioner. However, he is in custody since 31-03-2026 and has sufficiently been punished. Hence, the petitioner may be

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granted the privilege of regular bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer of regular bail.

6. Heard and perused the case record of the learned court below summon and received. Apart from the complainant petition, the complainant after her S.A. examined one enquiry witness supporting the allegation and the learned court below got pleased to take cognizance against the petitioner and one another by order dated 06-01-2023 u/s 498A of the IPC. However on the basis of issuance of process against the petitioner he was apprehended and remanded to judicial custody since 31-03-2026 and para-3 of the bail application filed by the petitioner reflects one other case as his criminal antecedent.

7. Under the facts and circumstances of the present case, the nature of allegation which appears of matrimonial nature where the petitioner being husband, coupled with period of custody of the petitioner, the prayer for regular bail of the petitioner stands **allowed**. Let the petitioner namely Qamrul Hoda, be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of the Court of Smt. Archita Sinha, JMFC, Darbhanga

(Dictated)

(Ajay Kumar Sharma)
Sessions Judge,
Darbhanga.
07.05.2026