

*Kanhaiya Jee Choudhary,
Principal District & Sessions Judge, Purnea.
ABP No.- 65/2026 (C.I.S. No. 65/2026)
(Arising out of Amour P.S. Case No. 524/2025)
Nouman @ Md. Nouman Alam & 04 others Vs State
Order Dated:- 07.03.2026*

THE COURT OF PRINCIPAL SESSIONS JUDGE, PURNEA
Anticipatory Bail Petition No. 65/2026 (C.I.S. No. 65/2026)
(Arising out of Amour P.S. Case No. 524/2025)
Nouman @ Md. Nouman Alam and 04 others Vs. State of Bihar

IN THE MATTER OF:-

1. Nouman @ Md. Nouman Alam, age 21 years, S/o Sakil @ Md. Sakil,
 2. Salman @ Md. Salman, age 28 years, S/o Sakil,
 3. Gulashan @ Gulashan Ara, age 50 years, W/o Sakil,
 4. Sakil @ Sakil Alam, age 58 years, S/o Late Malhu @ Mallu Alam,
 5. Gajiya @ Gajiya Parween, age 22 years, W/o Md. Salman,
Resident of Village- Sarwaily, P.S. Amour, District Purnea ...Petitioners.
- Vs.
- State of Bihar Opposite Party.

| Date of order or proceeding | Order with signature of the court | Office action taken with date |
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| 07.03.2026 | <ol style="list-style-type: none">1. This anticipatory bail petition filed on 08.01.2026, on behalf of the petitioners, namely, 1. Nouman @ Md. Nouman Alam, 2. Salman @ Md. Salman, 3. Gulashan @ Gulashan Ara, 4. Sakil @ Sakil Alam and 5. Gajiya @ Gajiya Parween, who are apprehending their arrest in connection with Amour P.S. case no.- 524/2025 registered for the offence under sections 126(2), 115(2), 85, 76, 352, 351(2), 3(5) of B.N.S. & 3/4 D.P. Act is put up for hearing.2. Heard Sri Mithilesh Kumar, the learned counsel for the petitioners and Sri A.K.Tiwary, the learned P.P. appearing for the State assisted by Sri Majharul Haque, learned counsel for the informant.3. The prosecution case, in brief, is that the informant was married about four years ago to Nauman. The marriage went well for a few days. After that, her husband and mother-in-law keep demanding dowry from her father, which includes Rs. 50,000/- and other items. Due to non-receipt of the demanded dowry amount, informant's husband started torturing her mercilessly. Md. Nouman's entire family supports him in beating the informant. It has also been alleged that for the past few days, informant's husband, brother-in-law and mother-in- | |

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| Contd. 07.03.2026 | <p>law have been calling various people, whom she doesn't recognize, at night and forcing her to sleep with them. On 08.12.2025, at around 3 P.M., accused persons brutally assaulted the informant due to which she became unconscious. The villagers then rushed her to Amour Hospital, where, after receiving primary treatment, she was referred to Purnea for better treatment.</p> <p>4. The learned counsel for the petitioners has submitted that the petitioners are innocent. Petitioner no. 1 is the husband, petitioner no. 2 is the Jeth, petitioner no. 3 is the mother-in-law, petitioner no. 4 is the father-in-law and petitioner no. 5 is the Gotni of the informant and none of the sections mentioned in the FIR is made out against them. He has further submitted that the petitioner no. 1, Nouman has separate mess and he is ready to keep the informant as his wife with full respect and also ready to maintain her according to his capacity. The petitioners are respective villagers and there is no chance of their absconding away. So, prayed for anticipatory bail.</p> <p>On the other hand, the learned P.P. has strongly opposed the prayer of bail of the petitioners.</p> <p>5. I have heard the rival submission of both parties and perused the case record. From perusal of the same it appears that on 11.02.2026, the informant and her husband (petitioner no. 1) present in the court with their respective counsels and both expressed their desire to live a happy life with each other, and in this regard, an undertaking was also filed in the court on behalf of informant's husband (petitioner no. 1). On the next hearing date, 21.02.2026, the informant appeared in the court and told that she had gone to her Sasural with her husband where in absence of her husband, her other in-laws (petitioner numbers 2 to 5) assaulted her badly and tried to kill her. She somehow escaped from her matrimonial house and saved her</p> | |
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| Contd. 07.03.2026 | <p>life. Her husband wants to keep her with him but the other in-laws want to drive her out of the house. Then, during the hearing on 23.02.2026, informant's husband was asked the reason why his wife was being beaten by his family members while he had taken his wife with him after giving an undertaking and promising to keep her safe. On this, petitioner no. 1 being husband of the informant said that he will not allow any kind of torture on his wife in future. Today the informant appeared in the court alone while her husband did not appear. The informant said that she has no complaint against her husband, but the family members of her husband (petitioner numbers 2-5) have continued to torture her and have attacked her with deadly weapons and thrown her out of the house. From the informant's version, it appears that she wanted to take her husband's side and prove him innocent at any cost and put the entire blame on her in-laws other than husband. Whereas it is the utmost duty of petitioner no. 1 to keep his wife safe. But he did not do so and today he is absent in the court to maintain his stand. He is sole responsible for informant's present situation.</p> <p>6. Viewing the negligent attitude of petitioner no. 1 and for not taking proper care of his wife in spite of filling an undertaking, I am not inclined to give him the benefit of section 482 BNSS. Therefore, the prayer for anticipatory bail of petitioner no. 1, Nouman @ Md. Nouman Alam stands rejected. He has the liberty to pray for regular bail while surrendering in the learned court below.</p> <p>But, there is no specific allegation of demanding dowry or torturing against petitioner numbers 2 to 5 namely, Salman @ Md. Salman, Gulashan @ Gulashan Ara, Sakil @ Sakil Alam and Gajiya @ Gajiya Parween. In addition to that sections mentioned in the F.I.R. are not punishable with more than</p> | |
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| Contd. 07.03.2026 | <p>seven years of imprisonment, hence, law laid down by the Hon'ble Supreme Court in the case of Arnesh Kumar Vrs. State of Bihar (2014)8 SCC 273 and Satyendra Kumar Antil Vs. C.B.I. is squarely applicable to the facts of this case. Hence, prayer for anticipatory bail of petitioner numbers 2, 3, 4 and 5 is allowed. In the event of their arrest or surrender within a fortnight from the date of receipt of this order, petitioners shall be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of the learned lower court, subject to the conditions as laid down u/s. 482 BNSS.</p> <p style="text-align: center;">(Dictated & corrected by me) sd/- (Kanhaiya Jee Choudhary) Pr. Distt. & Sessions Judge, Purnea.</p> | |
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