

In the Court of Addl. Sessions Judge-Vth, Siwan.

Anticipatory Bail Petition No. 789/2026

Siwan Mahila P.S. Case No. 18/2026

Gulam Imam @ Faiz Petitioner.

Vs.

The State of Bihar O.P.

ORDER

24.07.2026

This anticipatory bail petition has been filed on behalf of accused-petitioner namely **Gulam Imam @ Faiz** in apprehending his arrest in connection with Siwan Mahila P.S. Case No.18/2026 registered u/s 126(2), 115(2), 351(2), 352, 85, 3(5) of BNS and section 3/4 of BNS against the petitioner and others, put up and pressed.

Heard both sides.

As per the computerized petition of the informant Mohsina Fatima, the prosecution case, in short, is that marriage of the informant was solemnized with the petitioner on 23.02.2023 according to Muslim rites and rituals. In the marriage, father of the complainant expend Rs. 12 lakh and gifted ornaments. It is alleged that after some days of the marriage, the petitioner and other started demanding Rs. 5 lakh and Yamaha motorcycle as dowry. On expressing inability to fulfill the demand, the petitioner and others started abusing and assaulting to the informant. They used to torture the informant mentally and physically for the demand. The informant blessed with a male child out of their wedlock. Lastly, on 04.03.2026, the informant left her sasural due to torture meted out by the accused persons, since then she is leading a miserably life.

Ld. Counsel of petitioner submits that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. The petitioner bears clean past having no criminal antecedent. The petitioner is husband of the informant. The petitioner is ready to keep his wife with full honour and dignity. He has lodged a case in the court of Pricipal Judge, Family Court, Saran bearing no. R.C.R. No. 196/2025 against the informant. The prosecution story is entirely fasle and concocted. In the meantime, the petitioner is in apprehension of his arrest by the hands of local police. There is no chance of his absconding or tampering with the prosecution evidence. Hence, he prays for anticipatory bail.

On other hand, Ld. A.P.P opposes prayer of anticipatory bail.

In the Court of Addl. Sessions Judge-Vth, Siwan.

Anticipatory Bail Petition No. 789/2026

Siwan Mahila P.S. Case No. 18/2026

Gulam Imam @ Faiz Petitioner.

Vs.

The State of Bihar O.P.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of record, it appears that this case has been registered u/s 126(2), 115(2), 351(2), 352, 85, 3(5) of BNS and section 3/4 of D.P. Act against the petitioner and others. The petitioner is husband of the informant. She has made allegation that the petitioner with others used to torture the informant for demand of dowry. There is no specific allegation against the petitioner. There appears no apprehension of his arrest. Offences u/s 126(2), 115(2), 351(2), 352, 85, 3(5) of BNS and section 3/4 of D.P. Act are triable by magistrate 1st Class itself and maximum punishment prescribed in aforesaid offences are upto 3 years. Law is settled by the Hon'ble Apex Court in the cases, where maximum punishment are prescribed upto seven years.

So, considering the aforesaid facts, this anticipatory bail petition is hereby **disposed off/rejected** as being non-maintainable because there appears no apprehension of his arrest. Needless to say that if the petitioner surrenders before the learned trial court, the order will be passed without being prejudiced by this court's order, keeping in view the guidelines as propounded in **Arnesh Kumar Vs. State of Bihar & Satendra Kumar Antil Vs. C.B.I.**

(Dictated)

Sd/-

(Umashankar)

Addl. Sessions Judge-Vth,

Siwan.

24.07.2026.