

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18828 of 2025**

Arising Out of PS. Case No.-369 Year-2024 Thana- GHORASAHAN District- East
Champaran

OZAIR ANSARI @ MD. OZAIR @ ANJER ANSARI @ SONU ANSARI
Son of Kaimullah Ansari Resident of Village - Gurmia, P.S.- Ghorasahan,
District - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Afshana Khatoon D/o Anwar Ansari Resident of Village-Bijbani, P.O.-
Bijbani, P.S.- Jitna, District-East Chamaparan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.
Mr. Sumit Kumar Gupta, Adv.
For the Opposite Party/s : Ms.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Ghorasahan P.S. Case No. 369 of 2024 dated
13.09.2024 registered for the offences punishable u/ss 498A of
the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the informant
mentally and physically due to non-fulfillment of demand of
dowry and ousted her from the matrimonial home.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. The petitioner has relied upon the judgment of this Court in the case of **"Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182."** Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023**. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from



today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sikrahana at Dhaka, East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 369 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

