

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27196 of 2025

Arising Out of PS. Case No.-1621 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Amamul Ansari S/O Late Samsuddin Ansari Resident of Village- Hasanpur,
P.S- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabya Khatoon D/O Ali Hasan Ansari R/O Village- Manikpur, P.S- Harsidhi,
Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Ms. Harsha Shashwat, Advocate
For the State	:	Mr. Ramesh Chandra, APP
For the O.P. No. 2	:	Mr. Shambhu Narayan Singh, Advocate Mr. Suraj Kumar Tiwari, Advocate Mr. Akshay Tripathi, Advocate

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 30-10-2025 Heard learned counsel for the petitioner, learned APP

for the State and the learned counsel for O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Trial No. 537 of 2024 arising out of Complaint Case No.
1621 of 2024, registered for the offences punishable under
Section 498(A) of the Indian Penal Code.

3. It is a case of matrimonial dispute.

4. Vide order dated 23.07.2025, the matter was
referred to the Patna High Court Mediation and Conciliation
Centre. The report of the learned Mediator shows that the matter



could not be resolved between the parties and therefore, the mediation failed.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. It has further been submitted that the petitioner is ready to keep his wife with full honour and dignity but his wife is not ready to reside with him. He has submitted further that the petitioner is ready to pay Rs. 2,000/- per month as interim maintenance to opposite party no. 2.

6. On the other hand, the learned counsel for O.P. No. 2 has submitted that the petitioner has inflicted torture upon the victim and this is the reason, she is not willing to reside with the petitioner. He has also submitted that when the matter was sent to the mediation center, the victim opted for one-time settlement on payment of Rs. 3,00,000/- but this meagre amount was also not acceptable to the petitioner.

7. Learned counsel for the petitioner has submitted that the petitioner has no sufficient means to pay the aforesaid amount as he is hand to mouth.

8. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran in connection with Trial No. 537 of 2024 arising out of Complaint Case No. 1621 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNSS, 2023.

9. The petitioner is directed to pay Rs. 2,000/- per month as interim maintenance to opposite party no. 2 (the complainant).

(Nawneet Kumar Pandey, J)

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