

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29128 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- DAWATH District- Rohtas

Jumman Ansari S/o Hasim Ansari R/o Village- Rasulpur , Bithawan , PS-
Dawath , Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabiha Khatoon W/o Jumman Ansari R/o Village- Rasulpur , Bithawan , PS-
Dawath , Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Singh, Advocate
For the State	:	Mr. Madhura Nand Jha, APP
For the O.P. No.2	:	Mr. Chhotelal Mishra, Advocate Mr. Jyoti Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 12-08-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the O.P. No.2. Perused
the case diary.

2. The petitioner seeks bail in connection with
Dawath P.S. Case No. 64 of 2025 instituted for the offence
under Sections 126(2), 115(2), 85, 64, 352 & 35(2) of the
Bharatiya Nyaya Sanhita, 2023 and Sections 4 & 6 of the
POCSO Act.

3. Prosecution case, in short, is that after the marriage,
the informant alleges her husband consistently demanded more
money, assaulted her, and had an illicit affair. She also claims he



gave her jewelry to his mistress, threatened to kill her, and eventually left her and their daughters at her family's home while keeping their son. Her eldest daughter accused petitioner of committing rape.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02-03-2025. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to personal grudge by his wife, the informant, who allegedly manipulated their daughter to lodge this case. He highlights their cordial marital life since 2012, absence of prior complaints, and lack of independent witnesses supporting the prosecution. The investigation, based solely on partisan statements, yielded no cogent evidence linking him to the alleged crime. Medical examination of the victim revealed no signs of violence or injury, further casting doubt on the prosecution's case.

6. Learned A.P.P. for the State as also learned counsel for the O.P. No.2 have vehemently opposed the prayer for grant of bail to the petitioner. Victim in her statement recorded under



Section 183 of the BNSS, 2023, has clearly supported the prosecution case. Charge sheet has already been submitted in this case under Sections 126(2), 115(2), 85, 65(2), 352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 & 6 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence coupled with the fact that victim has supported the prosecution case in her statement recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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