

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37471 of 2025

Arising Out of PS. Case No.-624 Year-2024 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Raishul Azam @ Munna Son of Nezamudin Ansari R/O Vill- Danmarwa,
P.S.- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aisha Khatoon D/O- Md. Kutubudin R/O Vill- Narainapur, P.S.- Ramnagar,
District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

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

ORAL ORDER

2 02-07-2025 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 Tr. No. 2504 of 2024 arising out of
Complaint Case No. 624 of 2024 cognizance under Section
498A of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act and Section 4 of the Muslim Women Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically due to non-fulfillment of demand of Rs.
5 lakh and a Bullet motorcycle as dowry.

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 who is the husband of the complainant. The petitioner neither demanded any dowry nor tortured the complainant. 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 one criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, 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, West Champaran in connection with Complaint Case No. 624 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)

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