

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.219 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- RAMGARHWA District- East
Champaran

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Md. Sakir Hussain Ansari @ Md. Sakin Hussain Ansari @ Md. Shakir
Hussain Ansari S/o Kamaruddin Ansari @ Karmuddin Ansari R/o vill - Sikta
Baswariya, P.S.- Lauriya, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rahima Khatoon W/o Md. Sakir Hussain Ansari @ Md. Sakin Hussain
Ansari, D/o Yasin Ansari R/o vill - Amodei, Kaswa Tola, P.S.- Ramgarhwa,
Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sharad Kumar Verma
		Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala
For the Informant	:	Mr. Ajay Kumar Singh

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

ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Ramgarhwa P.S. Case No. 125/2024 dated
28.05.2024 registered for the offence punishable under Sections
498A, 364A and 120B read with 34 of the Indian Penal Code.

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 Rs.



Five lakhs as dowry. It is further alleged that they also abducted her father and demanded Rs. 11,00,000/- as extortion money.

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 informant. The petitioner neither demanded any dowry nor tortured the informant. Learned counsel has submitted that the informant's father was neither kidnapped by the petitioner and the co-accused persons nor the petitioner demanded any extortion money. 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 two criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer



for anticipatory bail of the petitioner by submitting that the petitioner is the husband.

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, Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 125/2024, subject to conditions as laid down under section 482(2) of the B.N.S.S, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

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)

Atul/-

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