

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36472 of 2026

Arising Out of PS. Case No.-47 Year-2023 Thana- MAHILA P.S. District- Bhagalpur

Amir Usmani S/o Late Omar Ashique Usmani R/o Village - Jabbarchak
Chowk, Ashiyana Apartment, Block B Flat No. 501, P.S. - Tatarpur, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the Informant	:	Mr. Dilip Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 11-06-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 376, 506/34 of the
Indian Penal Code.

3. As per the prosecution case, it is alleged that the
petitioner has sexually exploited the informant/victim on the
promise of marriage.

4. Learned counsel for the petitioner submits that it
would be apparent from the First Information Report itself that
the marriage of the victim was fixed with the petitioner and the
date of the engagement was also fixed on 09.09.2023. It is
further evident from the F.I.R. that the petitioner and the victim



were be in physical relationship for 20 days and thereafter she also went to Kolkata at the flat of one Md. Jiya, where again for five days physical relationship was established between the two. Subsequently, it has been stated that dowry was demanded and the petitioner refused to marry on account of non-fulfillment of dowry. Learned counsel further submits that the relationship between the petitioner and the victim, who is a major, was completely consensual and after investigation charge-sheet has been submitted against the petitioner under Section 376 of the I.P.C. and 3/4 of the Dowry Prohibition Act. The petitioner is in custody since 14.12.2025 with no criminal antecedent and charge-sheet has been submitted.

5. Learned APP for the State and learned counsel for the informant have strongly opposed the grant of bail on the ground that the petitioner has refused to marry the victim.

6. Taking into consideration the facts and circumstances and considering the fact that the relationship between the petitioner and the victim, *prima facie*, appears to be consensual and charge-sheet has also been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned A.C.J.M.-IX,
Bhagalpur/concerned Court below in connection with Mahila
P.S. Case No. 47 of 2023.

(Soni Shrivastava, J)

anand/-

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

