IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62087 of 2026

CNR No. BRHC010895912026

Arising Out of PS. Case No.-843 Year-2025 Thana- NAWADAH COMPLAINT CASE District- Nawada

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Md. Rizvi Ali @ Md. Rizvi Alam S/o Nanhu Ahmad R/o - Mohammadpur, P.S - Pakribarawan, District - Nawada

... ... Petitioner/s

Versus

1. The State of Bihar
2. Afsana Praveen D/o Md. Naieem Ansari W/o Md. Rizvi Ali @ Md. Rizvi Alam, R/o - Chamanbagh, P.S - Pakribarawan, District - Nawada

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP
For the O.P. No. 2 : Mr. Rishav Dev, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 29-10-2026 Heard Mr. Amresh Kumar Sinha, learned Advocate for the petitioner and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State. The O.P. No. 2 is represented through Mr. Rishav Dev, learned Advocate.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 843 of 2025, registered for the offences punishable under Section 85 of the BNS and Section 3/4 of the D.P. Act.

3. Based upon a complaint case, it is alleged that the marriage of opposite party no. 2 was solemnized with the petitioner on 07.10.2024. At the time of marriage, a sufficient

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amount of dowry was offered to the petitioner. It is further alleged that the complainant was earlier married to one, Md. Aboozar Ansari, and had three children. However, after the death of her first husband, she married the petitioner, knowing very well that the complainant had been previously married; but subsequently the petitioner and the other accused persons started subjecting her to torture on account of non-fulfillment of the dowry demand and finally ousted opposite party no. 2 on 26.02.2025.

4. There is complete denial of the alleged marriage. The learned Advocate for the petitioner submits that the complainant, i.e., opposite party no. 2, has not come to the Court with clean hands, and in the complaint petition, it has been wrongly stated that her first husband, Md. Aboozar Ansari, had died; rather, he is still alive and regularly sending money to the complainant. To support the aforesaid contention, photocopies of the cheque and money receipt have been placed on record. It is further argued that, till date, opposite party no. 2 has not obtained a divorce from her first husband and, therefore, the question of the petitioner contracting a second marriage with opposite party no. 2 does not arise. In the aforesaid premises, he prays for grant of anticipatory bail.

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5. The contention of learned Advocate for the petitioner has been refuted by learned Advocate for opposite party no. 2, who submits that there is a specific accusation that she was subjected to torture in various ways on account of non-fulfillment of the demand for dowry. It is also submitted that the petitioner has concealed his criminal antecedents.

6. Learned Advocate for the State also opposes the bail application.

7. Considering the materials available on record, especially the fact that the petitioner has denied the marriage and has placed certain documents on record in support of the aforesaid contention, as also the fact that the parties have not even approached the competent court to establish their rights, title, and interest, this Court finds substance in the application, accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of S.D.J.M., Nawada in connection with Complaint Case No. 843 of 2025, subject to the conditions laid down in Section 482(2) of the

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Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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