

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE - IV
DISTRICT – SHEOHAR**

Present – Aditya Pandey, District & Additional Sessions Judge

Anticipatory Bail Petition (A.B.P.) No. 225 / 2026
(Arising out of Shyampur Bhataha P.S. Case No. 61/2026
U/s. 122(2), 115(2), 303(2), 76, 85, 351(4), 3(5) of B.N.S.)

Jamshaid Ansari @Anwarul Haque, aged about 25 yrs

.....Petitioner

Versus

State of Bihar.....Opposite Party

Appearance -

For the Petitioners : Sri Yogendra Sah, Advocate.

For the State : Sri Arshad Siddiqui, Addl. Public Prosecutor, Sheohar.

ORDER

15.06.2026

The learned advocate for the petitioner and the learned Additional Public Prosecutor have been heard at length. Perused the copy of the case diary.

This petition for grant of anticipatory bail was filed on 28.03.2026 on behalf of Jamshaid Ansari who apprehends arrest in connection with Shyampur Bhataha P.S. Case No. 61/2026 registered on 12.03.2026 under sections 122(2), 115(2), 303(2), 76, 85, 351(4), 3(5) B.N.S.

The prosecution's case in brief is that at about 4 P.M. on 06.03.2026, the informant Nasima Khatoon was assaulted by her husband Jamshed Ansari (petitioner) and father-in-law Bhikari Ansari, as she had objected to withdrawal of Rs.14000 and Rs.1200 from her bank account without her consent. It is alleged that she was first beaten up by slippers by Bhikari Ansari who also tore up her suit, and then assaulted by Jamshed Ansari, Husanain Ansari, Husan-e-Ara Khatoon, Reshma Khatoon and Rejia Khatoon, that Husan-e-Ara Khatoon and Reshma Khatoon removed the informant's earrings, anklets and lockets, and the informant was threatened by her mother-in-law, husband and Husnain Ansari with death. It is lastly alleged that the

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**A.B.P. No. 225 / 2026
Jamshaid Ansari Vs. State of Bihar**

ORDER

15.06.2026 informant's husband was having an affair with his elder sister-in-law and that he would falsely make allegations against the informant that she often talked with some other person.

It has been averred at the outset in para 2 of the petition that the petitioner has not moved any anticipatory bail petition before this Court or Hon'ble Patna High Court, and in para 3 that the petitioner has no criminal antecedent. The learned advocate for the petitioner has argued and submitted that the petitioner is innocent and falsely implicated in this case on account of petty domestic dispute with the informant who is her wife. As a matter of fact, the petitioner was implicated only to put pressure and obtain his share of property. The petitioner has filed an undertaking that he is ready to keep the informant with full dignity and honour. It is therefore, prayed that the petitioner may be granted privilege of anticipatory bail.

The learned Additional Public Prosecutor has opposed the bail petition.

Now, it transpires from perusal of record that the petitioner is the informant's husband and named as accused in the F.I.R. The informant and two witnesses have supported the allegations of assault etc. in their statement as recorded during the investigation. The copy of injury report attached with the case diary reveals that the informant suffered no visible injury but complained of body pain, and as such it was opined to be simple injury caused by hard and blunt substance. On the other hand, it has been pointed out that the informant had been married for about fourteen years and the dispute was not related in any manner to any demand of dowry, whatsoever, and there was no evidence to support the removal of funds by the petitioner from the

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**A.B.P. No. 225 / 2026
Jamshaid Ansari Vs. State of Bihar**

ORDER

15.06.2026 informant's bank account. Further, the allegations, except under section 76, 85 and 303(2) are bailable in nature, and the offence under section 76 is punishable maximum with imprisonment for five years. Here, it cannot escape the attention of this Court that no notice under section 35 of the B.N.S.S. has been issued to the petitioner so far, despite the offences being punishable with imprisonment for a term which is less than seven years, and as such *there is a violation of the guidelines issued by the Hon'ble Supreme Court of India in Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 committed by the Investigating Officer*. It is also not disputed that the petitioner bears no criminal antecedent.

In view of the above facts and circumstances, and considering the general and omnibus nature of allegations against the petitioner, the prayer is hereby allowed. The petitioner is ordered to be enlarged on bail in the event of arrest/surrender within **two weeks** of receipt of this order upon furnishing bail bonds of **Rs.10,000** with **two sureties of like amount each** to the satisfaction of the learned trial Court, subject to **filing of undertaking in terms of section 482 (2) B.N.S.S.**

(Dictated & Corrected)

Sd/-

**Addl. Sessions Judge, IV
Sheohar**