

(2026) 08 JH CK 3711
In the Jharkhand High Court
Case No : A.B.A. No. 4291 of 2026

Usman Shekh

APPELLANT

Vs

The State Of Jharkhand

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

BNS, 2023 — Section 115(2), 117(2), 109(1), 126(2), 85, 89
Dowry Prohibition Act — Sections 3 and 4
Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023 — Section 482(2)

Citation : (2026) 08 JH CK 3711

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Mr. Gautam Kumar, Mr. Shree Prakash Jha

Final Decision : Allowed

Judgement

2/04.08.2026 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Rajmahal PS Case No.538 of 2025, for offence registered under section 115(2), 117(2), 109(1), 126(2), 85, 89 of BNS, 2023 and sections 3 and 4 of Dowry Prohibition Act, pending in court of learned S.D.J.M., Rajmahal.

3. Learned counsel for petitioner submits that the petitioner has been falsely implicated in this case and there are general and omnibus allegations against the petitioner. He next submits that the petitioner has solemnized second marriage with the informant. He also submits that the learned Sessions Judge has examined the assault aspect and has found that there is no medical report and in view of that, he has opined that section 109(1) and 89 of BNS, 2023 have not been made out and he next submits that the allegation of assault is there against the step son of the petitioner namely Karim Shekh and said Karim Shekh has been granted anticipatory bail by the learned Sessions Judge, however, the petitioner's anticipatory bail was rejected only on the ground that the petitioner happened to be husband of the informant.

4. Learned State counsel opposes prayer and submits that the petitioner happened to be husband of the informant and in view of that anticipatory bail may kindly be rejected.

5. In the FIR the allegations are there of assault upon one Karim Shekh and said Karim Shekh has been granted anticipatory bail by the learned Sessions Judge and the learned Sessions Judge has opined that there is no medical report and in view of that, section 109(1) and 89 of BNS, 2023 have not been made out, and in the attending facts and circumstances of the present case, I am inclined to grant anticipatory bail to petitioner.

6. Accordingly, petitioner, above named, is hereby directed to surrender before learned court within three weeks from today, and in event of his surrender/ arrest, petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned S.D.J.M., Rajmahal, in connection with Rajmahal PS Case No.538 of 2025, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.