

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5766 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- BAISI District- Purnia

Md. Ekram S/O Fazlur Rahman R/O Village- Chopra, Post- Sadipur Butha,
P.S- Baisi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
Mr. Kumar Rajdeep Adv
Mr. Binod Ranjan, Adv
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 17-06-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 420, 376, 313 of the
Indian Penal Code.

3. The case of the prosecution is that the informant,
who was a married lady entered into a relationship with the
present petitioner, who had proposed her for marriage in the
year 2018 and after continuing in physical relationship with the
petitioner, it has been alleged that the informant even took
divorce from her earlier husband. However, after the same the
petitioner denied getting married to the informant.

4. Learned senior counsel for the petitioner submits at



the outset that the informant is a major lady and as per her own allegation, she was in a relationship with the petitioner right from 2018 to the filing of the FIR in the year 2024. It is a clear case of consensual relationship between the two adults as the informant was aged about 35 years at the time of filing of the present FIR. The learned senior counsel also invited the attention of this Court to some other cases filed by the informant against her earlier husband Md. Asif and also against one Abdul Bahar with whom she was married even before getting married to Md. Asif. On the strength of such document, it has been submitted that the informant is in habit of getting into relationship and getting married and also filing cases against the persons involved. It is further submitted that even taking the entire allegation made in the FIR at its face value, the present case would only amount to a consensual relationship between two adults and the informant had taken a conscious decision and it was her informed choice of being in a relationship with the petitioner.

5. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the



petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Baisi P.S.Case No. 273 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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