

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9453 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- MAHILA PS District- Buxar

Taufik Hawari S/O Kaptan Dhobi R/O Vill.- Rampur, P.S.- Rajpur, Dist.-
Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Dr. Kamal Deo Sharma, Advocate
For the State : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Buxar Mahila P.S. Case No.75 of 2024, dated
25.10.2024 registered for the offences punishable under
Sections 115(2), 69, 89, 352, 3(5) of the B.N.S., 2023.

3. The informant Shamsun Begam is a married lady
and the petitioner is also a married man but as per the allegation,
the accused/petitioner established physical relationship with the
informant on the promise to marry her and their relationship
continued for four years leading to pregnancy and termination
of the pregnancy twice.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that both the informant and the accused are major and married and it is hard to believe that a married man will promise a married lady to marry and it is also hard for a married lady to believe that a married man will marry her. He also points out that their love affairs continued for four years. No adult lady can have physical relationship with any man on such promise for four years. He also submits that as a matter of fact, the whole case appears to be of a consensual relationship and false implication. He further points out that even the parents and other family members have also been dragged in this case by making false allegation that they also abused and beaten her.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Buxar Mahila P.S. Case No.75 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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