

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34369 of 2025

Arising Out of PS. Case No.-168 Year-2024 Thana- MAHALGAON District- Araria

Mohammad Rahib Anwar @ Rahib Anwar Son of Riyazuddin Resident of
Vill.- Masuria, P.O. and P.S.- Mahlgoan, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shilpi Keshri, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 18-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahalgoan P.S. Case no.168 of 2024 registered under
sections 126(2), 115(2), 89, 352 and 3(5) of the B.N.S, 2023.

3. The allegation in the F.I.R is that the petitioner and
his father had abused and assaulted the informant who is the
wife of the petitioner and also caused miscarriage.

4. Learned counsel for the petitioner submits at the
outset that the present F.I.R has been lodged after a delay of four
days as occurrence is said to have taken place on 14.12.2024
whereas the present F.I.R came to be lodged on 17.12.2024. A
false allegation of administering some medicine to his wife has
been made upon petitioner which caused her miscarriage. It has



further been submitted that the informant had also filed case under Section 376 of the Indian Penal Code against the petitioner in which he is on bail. Medical report of the informant would show that there was no miscarriage or abortion and injury sustained by the informant was said to be simple in nature. The U.S.G report as indicated in the supplementary injury report shows there is no abnormality detected. Learned counsel for the petitioner further submits that the informant along with her child lived with the petitioner but was in a habit of leaving him and going to her parent home and this fact is substantiated by Annexure-P/3 to the petitioner which is an agreement between the petitioner and the informant. The petitioner undertakes to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mahalgoan P.S. Case no.168 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees 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,
subject to the condition laid down under Section 438(2) of the
Code of Criminal Procedure/Section 482(2) of the B.N.S.S,
2023.

(Soni Shrivastava, J)

Harsh/-

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