

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40953 of 2025**

Arising Out of PS. Case No.-38 Year-2024 Thana- MAHILA PS District- Darbhanga

Md. Ibrahim @ Md. Mujahid @ Md. Mojahid S/o Abdul Sattar R/o Village-
Shivram, Anchal- Benipur, P.S.- Bahera, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate
Mr. Padmanabh Kashyap, Advocate
Mr. Deepak Kumar, Advocate
For the State : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

3 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Darbhanga Mahila P.S. Case No.38 of 2024 registered for the
offence punishable under Sections 376, 323, 504 and 506/34 of
the Indian Penal Code.

3. As per the prosecution case, the petitioner entered
into the house of the informant and committed rape upon her
and assured to get married and later on, several times, on the
pretext of marriage, he used to establish physical relation with



her. Thereafter, the informant got pregnant and the petitioner denied for marriage.

4. Learned counsel for the petitioner has submitted that the FIR has been lodged after delay of two and a half month. He further submits that the petitioner and the alleged victim are major and it is a case of consensual sex. The petitioner is in custody since 11.02.2025.

5. Learned counsel for the State and learned counsel for the informant have vehemently opposed the prayer for bail and has submitted that the petitioner misrepresented with the victim and thereafter, established sexual relation with her and now the victim has also got a child.

6. From the aforesaid, it appears to be a case of consensual sex between the two consenting adults.

7. Considering the aforesaid facts, this application is allowed.

8. Let the petitioner, above named, 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 Sub-Divisional Judicial Magistrate, Darbhanga in connection with Darbhanga Mahila P.S. Case No. 38 of 2024.

9. As a condition of this order, the petitioner, after



being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed in the trial. Noncompliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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