

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46696 of 2025**

Arising Out of PS. Case No.-26 Year-2025 Thana- MAHILA P.S. District- Kishanganj

Malik Akhtar @ Malek Ashtor son of Tahir Hussain Village-Pabna PS  
-Pawakhali, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar  
For the Opposite Party/s : Mr. Rajiv Nayan

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

3      16-09-2025                      Heard the learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks regular bail in connection with Mahila P.S. Case No. 26 of 2025 registered for the offence under Sections 69, 115(2), 126(2), 64(1), 308, 352(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner is accused of committing rape with the victim, who is a divorced woman.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. Petitioner is in custody since 01.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.



6. Though the allegation against the petitioner is that he had committed rape with the informant but from perusal of the records it appears to be a case of consensual sex.

7. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

8. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kishanganj/concerned Court below in connection with Mahila P.S. Case No. 26 of 2025.

(Sandeep Kumar, J)

Shishir/-

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