

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49284 of 2025

Arising Out of PS. Case No.-112 Year-2019 Thana- AURAI District- Muzaffarpur

Md. Ishtekhar @ Ishtaka S/o Md. Ismile R/o Village- Ankhauli, P.S.- Katra,
Present P.S.- Yajuar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Aurai P.S. Case no. 112 of 2019 instituted for the offence under Section 376 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner established physical relationship with her on the pretext of marriage and later on he refused to marry her.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the real fact is that the petitioner has taken Rs. 3.5 lakhs from the informant which he had refunded to the informant as it



transpires from Annexure P/2. Further submission is that the informant has categorically stated that as the petitioner has paid the entire amount, he does not want to pursue this case. Further submission is that the petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Aurai P.S. Case no.112 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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