

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51781 of 2025

Arising Out of PS. Case No.-534 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Rustam Ansari S/O Idrish Pahalwad R/O Village- Garma @ Gadhama,
Mustafaganj, P.S- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raustan Khatoon Wife of Maslum Mohommed Salman, Residence at
Village-Mustfapurganj Bazar PS Minapur, District-Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Adv
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Prashant Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 07-11-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Muzaffarpur Sadar P.S. Case No. 534 of 2024 registered for the offences punishable under Section 323, 341, 354, 376, 34, 120(B) and 354(B) of the Indian Penal Code.

3. Present FIR was lodged on the basis of Complaint Case No. 2216 of 2024 filed before learned C.J.M., Muzaffarpur, wherein complainant alleged this petitioner to establish physical relationship with her for last three years on pretext of threat and also to force her to sell piece of land against Rs. 15 lakhs otherwise to make their video viral in public domain and lastly



attempt of murder was also alleged to made on 02.12.2023.

4. Learned counsel appearing on behalf of the petitioner submitted that false allegation appears to be raised in the background of land dispute which appears from the face of the complaint. It is submitted that allegation even if allegation of physical relation be taken into consideration, it appears that complainant was in relationship with petitioner since last three years prior to lodging to this complaint petition. It is also pointed out that complainant is a married lady aged about 46 years. It is submitted that lastly allegation *qua* an attempt to kill was raised just to aggravate the allegation. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for anticipatory bail submitted that allegation of rape is specifically available against this petitioner. Besides other allegations, it is pointed out that petitioner was named by complainant while recording her statement under Section 183 of the BNSS.

6. Let it be so, considering the complaint and allegation of rape prima-facie, which appears to be raised in the background of land dispute, where relationship also conceded for last three



years prior to lodging complaint, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur /concerned trial court where the case is pending in connection with Muzaffarpur Sadar P.S. Case No. 534 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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