

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53450 of 2025

Arising Out of PS. Case No.-377 Year-2024 Thana- CHAKIA District- East Champaran

Syed Jaffar Hasmi @ Jafar Hasami S/O Raunak Ali, R/O Vill.- Paithaniya
Tola Takiya, Ward No. 10, P.S.- Town Chakia, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulabsa Khatoon D/O Md. Taiyab R/O Vill.- Paithaniya Tola Takiya, Ward no. 10, P.S.- Chakia, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-08-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Chakia P. S. Case No.377 of 2024 registered for the
offences punishable under Sections 351, 64 and 3(5) of the
B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner established physical relation
several times on pretext of false promise of marriage. Further,
on 01.11.2024 at about 1.00 A.M., accused persons called her
and tried to establish physical relation, in the meantime, co-



villagers came when accused fled away. Thereafter, a Panchayati was convened, but then, the accused refused to marry her and threatened her to kill.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the relationship was consensual. It is also submitted that petitioner has married the informant, who is a major and she is staying with the petitioner.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application and submits that the case was earlier taken up on 19.08.2025 and thereafter, on 25.08.2025 based on the submission of the learned counsel appearing on behalf of the petitioner that petitioner has married the informant and he will ensure that the informant appears in the case since she is staying with the petitioner, but then, today when the case is taken up, it is submitted that petitioner was requested to ensure appearance of the informant, but then, the informant has not appeared which amply demonstrates that petitioner did not marry the informant rather on pretext of marriage, established physical relation and even tried to commit rape subsequently. It is also submitted that the investigation of the case is in its nascent stages.



6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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