

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65538 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- GORAUL District- Vaishali

Md. Waris Son of Md. Vakil Resident of Village- Bhorha, P.S.- Goraul,
District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Abbas Son of Md. Khalid Resident of Village- Rampur Dumari, P.S.-
Goraul (Kathara O.P.), Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 19-03-2025 Heard learned counsel for the petitioner, learned
counsel for the informant 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 Goraul (Kathara O.P.) P.S. Case no. 326 of
2023 instituted for the offence under Sections 363, 366,
120(B) of the Indian Penal Code.

3. Prosecution case in nutshell is that petitioner was
blackmailing the informant's wife for the reason of her
obscene photos and due to the fear of being defamed, she has
been obeying all the orders of the petitioner. It is further



alleged that petitioner in his score of blackmail has compelled her to marry with co-accused Sultan Shah and both used to exploit her and extort money (approximately Rs. 10,00,000/-) from her. On the alleged date of occurrence, the petitioner called the informant's wife to come at behind her house. When she met, petitioner along with co-accused Sultan Shah forcibly abducted her and sold her for prostitution. Later, informant came to know that petitioner has committed the occurrence then he went to ask his parents, where they abused and assaulted him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Victim is a mature lady aged around 40 years having four children. It is further submitted that the petitioner has no concern either with the victim or with the alleged offence. Nobody has seen the petitioner with the victim. It is further submitted that victim has distant relation with petitioner's elder brother on his *Sasural* side who lives in adjacent village. Due to that as well as resident of neighboring village, petitioner knows the informant and help him financially but he did not return the



money and has taken plea of loss due to that relationship. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of bail and submitted that from perusal of Case Diary it appears that the victim has been recovered outside the court at Hajipur. Her statement, under Section 164 of Cr.P.C., has been recorded, in which she has specifically stated that since 2021, petitioner was threatening her and forcefully establishing physical relationship with her. She has further stated that petitioner has extorted about Rs. 10,00,000/- (ten lakh rupees) by blackmailing her and he has compelled her forcefully to marry with co-accused Md. Sultan Shah.

6. Having heard the learned counsel for the parties, considering the nature of allegation and statement of the victim, recorded u/s 164 Cr.P.C., this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before



learned court below and pray for regular bail and the same shall be considered by the learned trial court on its own merit, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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