

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72802 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- BENIPATTI District- Madhubani

Md. Ibran @Md. Ebran @ Raju Son of Md. Uvique @ Uvaish @ Md. Ubaish
Resident of Village - Birdipur, P.S. - Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate
For the State	:	Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner and learned
APP, Mr. Ravindra Kumar for the State.

2. The Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 307, 308 and 312 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she lived at her maternal grandparents' house where petitioner also resided and the petitioner on false promise of marriage established physical relation for an year, on account of which, she became pregnant but the pregnancy got aborted, further when she informed about the pregnancy being aborted to the petitioner and his family members, they called her in the



night on 11.03.2024 and forcibly administered a pill on account of which she became unconscious, further on coming to know about the occurrence, her father came and rescued her in an unconscious state.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that the occurrence of terminating the pregnancy by forcefully administering a pill took place on 11.03.2024 but then the FIR came to be instituted on 28.03.2024, i.e., after a delay of 17 days. It is also submitted that after the FIR came to be instituted, medical examination of the informant was done by a medical board and the medical board opined the age of the informant above 19 years and also recorded that there was no sign of any sexual assault and the informant was not pregnant nor there is any sign of recent termination of pregnancy.

5. The learned APP, at this stage, submits that the report of the medical board is not on record on which the learned counsel appearing on behalf of the petitioner submits that a specific pleading has been made at para-8 of the anticipatory bail application on affidavit.



6. The learned counsel appearing on behalf of the petitioner next submits that even presuming what has been alleged is true without admitting then the relationship was consensual and there was no promise of marriage. It is next submitted that the instant FIR was instituted with false allegation only to pressurize the petitioner to marry the informant. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. The learned APP opposes the anticipatory bail application.

8. Considering the submissions made by learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Benipatti P.S. Case No.68 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial



Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Sanjay/-

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