

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62170 of 2024**

Arising Out of PS. Case No.-124 Year-2023 Thana- RAUTA District- Purnia

Md. Adnan S/o Matiur Rahman R/o vill - Shiahabari, P.S. - Rauta, Distt. -  
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

6      15-04-2025                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Rauta P.S. Case no.124 of 2023 registered under Sections 376, 498(A), 420 and 34 of the Indian Penal Code and Section 4 of the Muslim Mahila Marriage Protection Act, 2019.

3. As per the prosecution case, the informant states that she was married to petitioner and later, when she returned to her parents' home along with her husband, she saw him trembling and he was unable to establish physical relationship. When she came out of her room, the brother-in-law (*devar*) established physical relationship forcibly and this was repeated on the next day. She complained to her parents, later, the husband parents came and they accepted that the son is weak,



she should take 'talaq' and marry the younger son, Md. Masaud who has established physical relationship. Accordingly, by pronouncing three words, it is alleged that the husband released her but the brother-in-law chose not to marry. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner who happens to be the husband of the informant, has been falsely implicated in the case. The main allegation of subjecting the victim to forcible sexual intercourse is on brother-in-law Md. Hammad Masaud, not the petitioner herein. From perusal of the F.I.R, it would clearly show that the petitioner has not been made accused in the accused column. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State. However, learned counsel for the informant has not objected to grant of anticipatory bail to the petitioner herein.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in



connection with Rauta P.S. Case no.124 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

**(Soni Shrivastava, J)**

Harsh/-

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