

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87626 of 2024

Arising Out of PS. Case No.-337 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

=====

MD. ARSHAD @ ARSHAD EKBAL S/O LATE MD. EKBAL R/O
KHARUA, P.S.- SADAR, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushnuma Praveen D/O Md. Nesar R/O KHARUA, P.S.- SADAR,
DISTRICT- DARBHANGA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Adv.
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Darbhanga Sadar P.S. Case No. 337 of 2024,
disclosing offences punishable under Section 126(2), 74,
351(2),352, 115(2), 3(5) of Bhartiya Nyaya Sanhita.

3. As per the First Information Report registered on
18.09.2024, the informant has alleged that her co-villager
named Md. Arshad i.e. the petitioner is stalking and following
her since 2019. During the period, when the informant used to
go to school, the petitioner misbehaved with her on various
ways. Due to societal pressure she did not disclose the incident



to her parents. The informant left the school after XII examination due to stalking, torture and harassment made by the petitioner. She further alleged that the petitioner used to abuse her using filthy, objectionable comments and threatened her to post her photos on social media. About 8-9 months before, the petitioner entered the house of the informant, pointed revolver on her and snatched her mobile and also outraged her modesty. On 25.08.2024, in the night, the petitioner along with his brothers entered into the house of the informant and assaulted her parents and tried to kidnap her.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The petitioner is ready to marry the informant. He further submits that there was love affair between the informant and the petitioner. Due to break in their relationship the present FIR has been lodged after a lapse of 23 days. The petitioner has got one criminal antecedent due to family dispute.

5. Learned counsel for the informant submits that petitioner has made the life of informant hell. Since 2019, the petitioner was stalking, following, teasing and torturing the informant in various ways. Due to pressure made by the petitioner, the informant left her study after XII. The informant



does not want to marry the petitioner inasmuch as the petitioner is a man of criminal antecedent and has threatened the informant with dire consequences that if she would marry any other person, the petitioner would kill that person and throw acid upon her. He further submits that during investigation, the mobile of the informant which was snatched by the petitioner, has been recovered by the police and seizure list has been prepared. He submits that the police after investigation has added sections under Bharatiya Nagarik Suraksha Sanhita regarding kidnapping, recovery of stolen property, attempt to commit murder which can lead to life imprisonment, house trespass and outraging the modesty of women.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that during investigation police has found various material against the petitioner and has also added serious sections in the FIR, I am not inclined to exercise my discretion for grant of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

Suruchi/-

U		T	
---	--	---	--

