

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2358 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- MAHILA PS District- Jamui

Md. Firdosh, S/O Md. Sikandar @ Md. Sikandar Ali, R/O Village-
Islamnagar, P.S- Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Jitendra Kumar Giri, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Pramod Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Jitendra Kumar Giri, learned counsel for
the petitioner, Mr. Suresh Prasad Singh, learned APP for the
State and Mr. Pramod Kumar, learned counsel for the informant.

2. The petitioner apprehends his arrest in
connection with Mahila P.S. Case No. 54 of 2024 dated
19.10.2024 registered for the offences punishable under sections
69 and 351(2) of the Bharatiya Nyaya Sanhita (in short 'BNS').

3. As per prosecution story, the informant alleged
that the petitioner took her to a guest house on the pretext of
court marriage and committed rape with her and also made
video of the same. It is further alleged that when the informant's
family member knew about the alleged occurrence, a panchayat
meeting was held but the petitioner flatly denied to marry her.

4. The main submissions advanced by learned



counsel appearing for the petitioner are that no occurrence of rape as alleged by the informant in the FIR took place, in fact there was love affair between the petitioner and the informant and when the informant's proposal to marry her was rejected by the petitioner then the FIR was registered and as per prosecution story narrated by the informant in the FIR, the alleged occurrence is said to have taken place on 28.09.2024 but the FIR was registered on 19.10.2024 without explaining the said delay period. It is further submitted that earlier the informant's father lodged Sono P.S. Case No. 125 of 2018 for the offences under sections 354(b) and 504 of the BNS and section 8 of the POCSO Act against one, namely, Jilani Ali in which the informant of the present matter was shown as victim and in that case, compromise was made by the informant's father which shows that the informant's family members used to file such type of cases.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that on the pretext of marriage, the petitioner took the informant to a guest house where he forcefully established sexual relation with her and also made video of the sexual intercourse and thereafter threatened her to



make the video viral if she revealed the alleged occurrence to anyone and thereafter, a panchayat meeting was held in between both the parties in which the petitioner flatly denied to marry the informant and these facts are sufficient to give an explanation to the delay having taken place on the part of informant in lodging the FIR. It is further submitted that the manager of the concerned guest house was examined during the investigation and he supported the factum of bringing the informant by this petitioner into his guest house on the alleged day.

6. Learned APP appearing for the State has also opposed the bail prayer of the petitioner.

7. Considering the seriousness of the allegation appearing against this petitioner from the FIR which has been pointed out by informant's counsel discussed above and the case is under investigation, in my opinion, it is not a fit case for grant of anticipatory bail to the petitioner. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

annu/-

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

