

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5258 of 2026

Arising Out of PS. Case No.-370 Year-2025 Thana- BAHERI District- Darbhanga

Md. Mustakeem @ Mohammad Mustkim S/O Mohammad Safirul @ Md. Safirul @ Safirul R/O Vill.- Baligaon, P.S.- Baheri, Dist.- Darbhanga- 847101

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajima Khatoon W/O Md. Sajjad R/O Belgaon village, P.S. Baheri, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jagmnath Singh, Mr. Padmanabh Kashyap, Mr. Deepak Kumar, Advocates
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, A.P.P.
For the Informant	:	Ms. Soni Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 23-06-2026 Heard learned counsel for the petitioner, informant and the State.

2. Petitioner apprehends arrest in Baheri P. S. Case No. 370 of 2025 registered for the offences punishable under Sections 64, 115(2), 303(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita and Sections 3/4 of the Dowry Prohibition Act.

3. Prosecution case, in brief, is that on 5.5.2025, when daughter of the informant was alone in her house, taking advantage of the situation, this petitioner along with other accused persons entered the house and committed rape with her after administering intoxicated drugs in her cold drink. It is further alleged that the accused persons also recorded the



incident and committed rape with the daughter of informant several times by threatening to make the videos viral, resulting in her pregnancy. In the meantime, marriage of the daughter of informant was solemnized with some other person but soon thereafter, her in-laws came to know about the pregnancy and ousted her from the house. Thereafter, when informant went to the house of this petitioner to request him to solemnize marriage with his daughter, petitioner demanded dowry of Rs. 2 lacs, motorcycle and other articles. It is further alleged the accused persons abused and assaulted informant and snatched gold chain from his neck.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is has falsely been implicated in this case due to old enmity. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that there is direct and specific accusation that this petitioner along with others committed rape with the victim and victim, in her statement recorded under Section 183 BNSS, fully supported the prosecution case.

6. Considering the nature of accusation and statement



of the victim recorded under Section 183 BNSS, prayer for
anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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