

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5731 of 2026**

Arising Out of PS. Case No.-975 Year-2025 Thana- SIKARPUR District- West Champaran

Istakhar Alam @ Iftakhar Ahmad @ Iftekhar S/O Shekh Tahidan @ Shekh  
Tauhid R/O Village- Mahuava, Ward No. 09, P.S.- Shikarpur, Distt.- West  
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Ms. Khushi Awadh, Advocate     |
| For the Opposite Party/s | : | Mr. Syed Ehteshamuddin, A.P.P. |
| For the Informant        | : | Mr. Sarvesh Kashyap, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      23-06-2026      Earlier, *vide* order dated 25.02.2026, the matter was referred to the Mediation and Conciliation Centre, Patna High Court, Patna, but as per the Mediator's Report (flag 'M'), the mediation has failed.

2. Heard learned counsel for the parties.

3. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 69 and 352 of the Bharatiya Nyaya Sanhita.

4. As per F.I.R., informant alleged that on false promise of marriage, this petitioner established physical relation with the informant and thereafter, refused to marry.

5. Learned counsel for the petitioner submits that entire case as set out in the F.I.R. is false and concocted.



Informant was major when the relationship developed between the parties and was fully aware of the consequences of such relationship which continued for about one year. He further submits that acts of repeated intimacy and sexual relationship was consensual in nature and was not established under any false promise, threat or coercion and such, the same cannot be said to be induced or involuntary. As a matter of fact, it is a case of prolonged love affair between two consenting adults which has been given a colour of forcible sexual intercourse with oblique purpose and motive. Petitioner claims clean antecedent.

6. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

7. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Rape & POCSO Act, West Champaran, Bettiah in connection with Shikarpur P. S. Case No. 975 of 2025, subject



to condition as laid down under Section 482(2) of the Bharatiya  
Nagarik Suraksha Sanhita, 2023.

**(Prabhat Kumar Singh, J)**

Navya/-

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