

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25145 of 2026

Arising Out of PS. Case No.-83 Year-2025 Thana- MAHILA P.S. District- Patna

Md. Kaif S/o- Md. Rasid @ Mohammad Rashid Resident of Bankra Uttar
Para P.S- Howrah, Dist- Howrah, W.B

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aliya Nazir D/o- Nazir Ahmad R/v- Chhiti Kaodi, Kandhai Tola Ps-
Khajekalan Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Fakhruddin Ali Ahmad, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 29-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No- 83 of 2025 registered for the offence
under Section 69, 3(5) of BNSS.

3. As per prosecution case, the Informant Aliya Nazir
on 18-07-2025 before the SHO, Mahila P.S., Patna alleging
therein that her marriage was arranged with Md Kaif who has
made physical relationship with her and later-on demanded
dowry and engaged to another girl on 19-07-2025. Accordingly,
the FIR.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and he has



falsely been implicated in this case. Learned counsel for the petitioner further submits that both the petitioner as well as the informant are adult and there has not been any physical relationship. Learned counsel for the petitioner next submits that petitioner is now a married person living happily with his wife.

5. The learned APP opposes the anticipatory bail application.

6. From the allegations levelled in the FIR it transpires that there is allegation against the petitioner of having established physical relationship with the informant. Both the petitioner as well as the informant are adults and the possibility of there being a consensual relationship cannot be ruled that because the petitioner and informant could not get married, therefore, the petitioner has been implicated in this case. Petitioner is now a married person living happily with his wife. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Smt. Somya Suman, JMFC. Patna in connection with Mahila P.S. Case No-83 of 2025, subject to the conditions laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Prakash Narayan

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