

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23515 of 2026

Arising Out of PS. Case No.-112 Year-2016 Thana- MAHILA P.S District- Supaul

Md. Israel @ Md. Ijarail S/o- Late Abzal @ Md. Afajal, R/vill- Narhaiya,
Narhaiyya, W.No-9, PS- Chhatapur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-07-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Supaul Mahila P.S. Case No. 112 of 2016 registered for the offences punishable under sections 493 & 506 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged that the petitioner allegedly established physical relationship with her on the false pretext of marriage, as a result of which she became about four months pregnant.

4. Learned counsel for the petitioner submits that the petitioner is a 71 year old person and bear no criminal antecedent and after investigation the police did not send up the petitioner, however, the trial court took cognizance for the



offences under sections 493 & 504 of the IPC without any material and the victim's husband had been absconding for the last 12 years due to his implication in another case and the wife of this petitioner died four years prior to the institution of the present FIR and the allegations levelled by the victim are totally false.

5. On the other hand, learned APP for the State opposes the prayer of the petitioner and submits that the cognizance for the offences under sections 493 & 504 of the IPC has been taken against the petitioner which are serious offences and thereafter, the petitioner has been avoiding his arrest and consequently, the trial court has issued processes for his appearance but even then the petitioner did not appear.

6. Considering the petitioner's long absence before the trial court despite the issuance of processes for his appearance, as stated by learned APP, and taking note of the nature of the allegation, this Court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, his prayer stands rejected.

7. However, considering the petitioner's old age, he is given a liberty to surrender before the trial court. If he surrenders before the trial court within three weeks from today,



then the learned trial court shall decide his regular bail prayer,
according to merit, preferably on the same day without being
prejudiced with this rejection order.

(Shailendra Singh, J)

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