

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49818 of 2026

Arising Out of PS. Case No.-163 Year-2025 Thana- HARLAKHI District- Madhubani

Md. Sajid Son of Md. Kalam @ Abdul Kalam Resident of Village- Beta Parsa, Ps- Harlakhi, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y Resident of Village- Lohana, Ps- Bahuarva, Dist- Dhanusha (Nepal)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 64, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she has two children and petitioner fell in love with her and asked her many a times to leave her husband and children and to live with him but she refused, further on 5-6-2025 at 8 pm, she had gone to attend nature's call when petitioner abducted and took her to his house and sexually exploited her for 8 days, further her mother and others were



searching for her, next alleges that on 13-6-2025, petitioner along with his father and other family members assaulted her and threw her in a field, but some villagers found her and she was admitted to the PHC from where she was referred to Sadar Hospital.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the occurrence is dated 5-6-2025 and the FIR came to be instituted on 19-6-2025 based on a written application of the informant. It is further submitted that had the informant been abducted by the petitioner on 5-6-2025, in that event her husband or any family members would have instituted an FIR promptly but then the same was not done, which casts an aspersion on the case of the prosecution. It is also submitted that though it is alleged that informant was assaulted and thrown in a field from where she was picked and admitted in a PHC and thereafter was referred to Sadar Hospital but if what is being alleged had been the correct fact then the PHC or the Sadar Hospital would have informed the police that a case of assault has been reported but that is not the case as the FIR came to be instituted based on a written



statement of the informant. It is next submitted that it absolutely does not stand to reason that a person who is alleging was abducted herself has instituted the FIR which also casts an aspersion on the case of the prosecution. It is also submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Harlakhi P.S. Case No. 163 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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