

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66755 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- SURYAGARHA District- Lakhisarai

Md. Kalam Ashraf @ Kalam Ashraf, Son of Gulam Subhani R/o Village -
Haldi, P.S. - Suryagarha - District - Lakhisarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-02-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 318(4),
352, 53, 64(2)(1), 81 and 303(2) of the BNS.

3. Learned counsel appearing on behalf of the
petitioner submits that father of the informant had earlier
instituted Suryagarha P.S. Case No. 133 of 2012 dated
25.07.2012 against the petitioner alleging that he kidnapped his
minor daughter. It is further submitted that in the said case, the
police, after investigation, submitted final form. It is next
submitted that statement of the victim was recorded under
Section 164 Cr.P.C. in the said case, wherein she had not
supported the case of the prosecution. It is also submitted that



after final form was submitted, the learned trial court accepted the same but 13 years thereafter in the year 2025 the instant FIR came to be instituted by the informant who was victim of Suryagarha P.S. Case No. 133 of 2012. It is submitted that petitioner and the informant have performed their marriage and were living as husband and wife and out of the wedlock, a child was born who presently is 11 years of age. It is further submitted that the instant case came to be instituted alleging that petitioner and the informant belonged to two different religions and after the earlier case got over, the petitioner started showing his true colour and did not perform his marriage and started pressurizing the informant to convert her religion, on objection the petitioner assaulted her apart from other allegations.

4. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant submits that no doubt, in the earlier case the victim had not supported the case of the prosecution leading to submission of final form but then after the earlier case was concluded the petitioner started showing his true colour and did not marry the opposite party no. 2 and even used to torture the informant of the instant case. It is further submitted that process



under Sections 82 and 83 Cr.P.C. has been issued.

5. Considering the submissions made by the learned counsel appearing on behalf of the informant and the fact that process under Sections 82 and 83 Cr.P.C. has been issued, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Suryagarha P.S. Case No. 94 of 2025 pending in the Court of learned Chief Judicial Magistrate, Lakhisarai/Successor Court.

6. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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