

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89515 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- MAHILA P.S. District- Nawada

Md. Jarar Alam S/o Md. Saraj Resident Of Village- Balwapar, P.S.-
Kawakole, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 35 of 2023 registered for the offence under Sections 341, 342, 328, 376 and 506 of the Indian Penal Code and section 66 of the I.T. Act, lodged on 04.09.2023 by the informant, Shahjahan Khatoon.

3. As per the prosecution story, the informant alleged that her husband work outside. For an illness, she went to this petitioner/doctor who gave an injection whereafter she became unconscious. Allegation is that he committed rape and also videographed it and later, threatening to make it viral, he repeatedly blackmailed her and the story continued. As he demanded Rupees Two Lakhs, the F.I.R..

4. Learned counsel for the petitioner submits that the



allegation is of 28.05.2023 and the F.I.R. has been lodged on 04.09.2023, the Police investigated the matter and filed final form. However, the learned Magistrate differed and took cognizance forcing him to knock the doors of the Court. He has no criminal antecedent, is a medical practitioner and the Police during the investigation failed to seize any video which has been alleged in the F.I.R..

5. Learned APP Mr. Jitendra Kumar Singh opposes the prayer submitting that despite being a doctor he gave injection which made the informant unconscious and thereafter allegation of rape is there.

6. Considering the submissions of the parties as also the fact that the F.I.R. has been lodged after months the Police during investigation did not find any video nor any such material has come on record, this petitioner who is a Doctor has no criminal antecedent, cognizance has been taken against him, he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada, in connection with Mahila P.S. Case No. 35 of 2023 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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