

The Court of Addl. Sessions Judge-Ist, Kishanganj
Bail Petition No. - 206/2026
(Pothia P. S. case no. 237/ 2025)

Present : Suresh Kumar Singh II
Addl. Sessions Judge-Ist, Kishanganj

Md. Ismail

..... (Petitioner)

Vs.

The State of Bihar (Opposite Party)

For the Petitioner : Sri Md Nasim Akhter (Advocate)
For the State : Sri Suren Prasad Saha (A.P. P.)

18-06-2026 1. Heard learned counsel for the petitioner namely, Md. Ismail, Petitioner is in custody since 05.05.2026 in connection with Pothia P. S. Case No. 237/2025, registered u/s 341, 323, 376, 379, 504, 506/34. Also heard learned P. P. for the State.

2. Prosecution story as per typed report of informant is that the informant went Purnia for examination from 10.04.2019 to 25.04.2019 where she met Ismail. Ismail trapped her in a love relationship and made physical relation with her on pretext of marriage against her will. After returning home, he continued contact over the phone and had physical relation with her. Later on informant came to know that Ismail was already married. On 02.08.2025, when informant and her family members sent to Ismail's house, where all of the accused persons including this petitioner abused and assaulted them and snatched her mobile phone. Ismail also threatened to circulate her obscene photos and videos and kill her and her family members. On the basis of typed report of informant Pothia P.S. Case No. 237/2025 was registered.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has not committed any offence. The petitioner has falsely been implicated in this case. Allegations made in the FIR are false, exaggerated and improbable, covering incidents allegedly occurring between 2019 and 2025 without any contemporaneous complaint. There is an inordinate delay in lodging the FIR which casts serious doubt on the credibility of the prosecution story. The applicant has no criminal antecedents. The petitioner is in custody since 05-05-2026.

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4. Learned P. P. has opposed the prayer for bail.
5. From perusal of record it transpires that there is allegation against the petitioner that he committed rape with victim on pretext of marriage. During investigation statement of victim was recorded U/s 183 BNSS in which she has stated that she has supported the allegation as alleged in the FIR. Investigation in this case is still pending. petitioner Allegation against the petitioner is serious in nature. Considering the fact stated above, I am not inclined to grant the privilege of bail to the petitioner.
6. Therefore, considering the aforesaid facts and nature and gravity of allegations, I am not inclined to grant the privilege of bail to the petitioner. As such, prayer for bail made on behalf of petitioner namely, Md. Ismail is hereby **rejected**.

Dictated
Sd/-

Suresh Kumar Singh II
Addl. Sessions Judge-1st
Kishanganj

Date of Judgment/Order	18-06-2026
Date of Reserving Judgment/Order	NA
Uploading Date	18-06-2026
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