

Present: Sandeep Mishra
 In the court of District and Additional Sessions Judge-I, Katihar
 Anticipatory Bail Application 620 of 2026
 (Arising out of Azamnagar PS case No. 110 of 2026)

Md. Kaish Raza versus State

1. Md. Kaish Raza, aged 30 years, son of Md. Jamil Akhtar, resident of village Baluganj, P.S.-
 Balia Belon, District- Katihar.

... Petitioner

versus

The State of Bihar

... Opposite party

Date	Order	Remark
19.05.2026	1. This is an application for grant of anticipatory bail filed on behalf of the petitioner namely Md. Kaish Raza in connection with Azamnagar PS Case no. 110 of 2026 registered under sections 126(2), 115(2), 64, 352, 3(5) of Bhartiya Nyaya Sanhita. 2. The victim herself is the informant of this case. According to the First Information Report, case of the prosecution is that for about four years ago of the lodging of the First Information Report, talks were being held in between the petitioner namely Kaish Raza and the victim. The petitioner namely Kaish Raza used to go to the house of his mausi Noorzebi Khatoon. On 17.11.2025 at about 9:00 P.M., when the victim was alone in the house, Md. Kaish Raza came to the house of the victim and alluring the victim of marriage forcibly established physical relation with her. When the parents of the victim came to know about the occurrence, they convened panchayati. In the panchayati, Md. Kaish Raza, Noorzebi Khatoon, Md. Jamil Akhtar, Kaisri Khatoon, Noor Alam, Md. Nasim, Menhaz and Jamshed Alam refused to marry the victim. The aforesaid accused persons abused and assaulted	

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<u>continued</u> 19.05.2026	the victim as well as the parents of the victim. They also threatened the victim. 3. It has been submitted on behalf of the petitioner that no bail application either regular or anticipatory has been filed on behalf of the petitioner earlier in this case either before this court or before the Hon'ble High Court Patna. The petitioner has got no criminal antecedent. The petitioner is quite innocent and he has committed no offence at all. This case has been lodged by the informant to force the petitioner to marry her and also to extort money from the petitioner. All the allegations against the petitioner are false and concocted. The petitioner never allured the victim for marriage and he never established physical relation with her. On the aforesaid grounds, prayer has been made to grant the privilege of anticipatory bail to the petitioner. 4. On the other hand, learned APP as well as the learned counsel for the informant have opposed the prayer of the petitioner for grant of anticipatory bail and submitted that there is heinous allegation against the petitioner that alluring the victim of marriage, he forcibly established physical relation with her and later on refused to marry the victim. Therefore, the petitioner is not entitled to be granted the privilege of anticipatory bail.	
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<u>continued</u> 19.05.2026	5. Heard the parties and perused the record. At the time of hearing of this anticipatory bail application, copy of case diary containing 72 paragraphs has been produced on behalf of prosecution. So far as the criminnal antecedent of the petitioner is concerned, same has not been furnished on behalf of prosecution. However, in paragraph no. 3 of this anticipatory bail application, it has been mentioned that the petitioner has got no criminal antecedent. Allegations against the petitioner are that alluring the victim of marriage, he established physical relation with the victim forcibly but later on refused to marry the victim. From the perusal of the case diary, it transpires that the victim has supported the allegations against the petitioner during investigation and the witness has also supported allegation against the petitioner during investigation in her statements under sections 180 and 183 of Bhartiya Nagrik Suraksha Sanhita. From the perusal of the medical examination of the victim, it transpires that the hymen of the victim has been found to be torn and the doctor has opined that the victim might have been used for sexual intercourse. Investigation of the case is still going on. 6. Considering the nature of allegations against the petitioner and also the fact that the investigation of the case is still going on, this court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, prayer for grant of	
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<u>continued</u> 19.05.2026	anticipatory bail made on behalf of the petitioner namely Md. Kaish Raza in connection with Azamnagar PS case no. 110 of 2026 stands rejected. Sd/- (Sandeep Mishra) District and Additional Sessions Judge-I Katihar 19.05.2026	
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