

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25351 of 2024

Arising Out of PS. Case No.-787 Year-2009 Thana- COMPLAINT CASE District-
Kishanganj

Tanweer Alam S/O NAZIMUDDIN ALAM Resident of Village - Dahibhat,
PS- Terhagachh, Distt.- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalmai D/O Talimuddin @ Lalbabu Resident of Village - Dahibhat, PS-
Terhagachh, Distt.- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 24-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with S.T. No. 56 of 2024 (arising out of Complaint Case No.
787 C of 2009 for the offences punishable under Section 376 of
the Indian Penal Code.

3. As per allegation, the petitioner had committed
rape upon the complainant at the point of knife. Further, the
husband of the complainant ousted from her matrimonial house.
Thereafter, she went to her maternal house and a *panchayati*
was convened, in which, the petitioner assured that he would
solemnize marriage with the complainant only after divorce
from her husband.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. As a matter of fact, the complainant has filed the



present case for some ulterior motive. She has already lodged a case against Dr. Hasan Raja with the similar allegation in the year 2008 as Teragachh P.S. Case No. 39 of 2008. He has further submitted that the mother and father of the complainant have also lodged a case. The petitioner is under custody since 01.02.2024.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances as well as the period of incarceration, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, Kishanganj in connection with S.T. No. 56 of 2024 (arising out of Complaint Case No. 787 C of 2009 2, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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