

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66931 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- MAHILA P.S. District- Siwan

Tabrez Alam Khaan @ Tabrez Alam Khan @ Tabrej Ali Khan Son of
Ehtesaam Ali Khaan @ Ahtesham Ali Khan R/o Village- Bhalui, P.S.-
Barhariya, Dist.- Siwan Dakhin Toal, Saiyadani Chowk, P.S.- Siwan Town,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Chandra
For the Opposite Party/s	:	Mr.Md. Mushtaque Alam
For the Informant	:	Mr. Shashi Kr. Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahila P.S Case No. 40/2024 dated 14.05.2024 registered for the offence punishable u/s 323, 341, 376 and 420 of the Indian Penal Code and Section 67A and 67 of the I.T. Act.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant forcibly and made video of it. Further, the petitioner used to threaten her and demanded money from the informant. It is further alleged that the petitioner on the pretext of marriage used



to establish sexual relationship with the informant due to which she became pregnant. Thereafter, the petitioner took her to Delhi and fled away from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The informant is a major woman who knows the consequence of the act of the petitioner. Learned counsel has submitted that on 09.05.2024, the marriage of the informant and the petitioner was solemnized at Siwan Court. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.07.2024

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Mahila P.S Case No. 40/2024, with the condition ;-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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