

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5061 of 2025

Arising Out of PS. Case No.-48 Year-2023 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

Md. Majid @ Md. Majid Alam S/o Shekh Nasrullah R/o Village- Paras Pakri,
P.S.- Majhauriya, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 22-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Kaji Mohammadpur P.S. Case No. 48 of 2023, registered for the offences punishable under Sections 323, 504, 506, 376, 406, 420, 120(b) and Section 3/4 of D.P. Act. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the informant and the petitioner is said to have been in love since 2017 and the petitioner established physical relation on the pretext of marriage. It has further been alleged that the family of the petitioner had taken around Rs. 80,000 as dowry and subsequently, there was a demand of Rs 4 lakh 20 thousand and on refusal of the same, the informant was ousted from the house



of the petitioner and they refused to marry.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that from mere perusal of the FIR, it is evident that there was no forceful physical relation made by the petitioner and also the fact that the informant has herself stated that there was negotiation for marriage and on denial of the same, the present case has been filed. The learned counsel further submits that no case under Section 376 is made out in the present facts and circumstances of case. It has lastly been submitted that the marriage was solemnized between the petitioner and the informant and he submits that the informant was staying with the in-laws, however, she had recently gone to her parent's house. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 22.11.2024.

5. The learned A.P.P. for the State has opposed the prayer for bail and has stated that there is an allegation of rape upon the petitioner and hence he should not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances and taking into account that the marriage of the petitioner was



solemnized with the informant and the informant has been staying with the in-laws till recently and a compromise had also been entered into between the parties which was filed before the learned Court below, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned A.C.J.M., 1st (East), Muzaffarpur, District-Muzaffarpur, in connection with Kaji Mohammadpur P.S. Case No. 48 of 2023, subject to the following condition:-

(i) The informant shall be noticed and the learned court below shall satisfy itself prior to accepting the bail bond of the petitioner that the informant has willingly compromised the matter and has been staying with her in-laws. Thereafter, the bail bond of the petitioner shall be accepted on such satisfaction.

(Sourendra Pandey, J)

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