

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7710 of 2025

Arising Out of PS. Case No.-264 Year-2020 Thana- BAJPATI District- Sitamarhi

Md. Rezauddin Son of Md. Kalam @ A. Kalam Resident of Village -
Madhuban Gote, Ward No.3, P.S. - Bajpatti, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
Smt. Divya Bharti, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. It is the first regular bail application submitted by the petitioner who has been arrested in connection with Bajpatti P.S. Case No. 264 of 2020 dated 01.07.2020 for the alleged offences punishable under Section 341, 323, 379, 376, 504/34 of the Indian Penal Code.

3. In this case, according to the case of prosecution, at the time of the alleged incident age of the prosecutrix was about 18 years. On 01.07.2020 written complaint was made by her stating therein that there was love relationship between the present applicant and the informant from the last one year and on the pretext of marriage the present applicant continuously committed sexual intercourse with the prosecutrix. Subsequently, he denied the



marriage and also committed marpit with the complainant on 22.06.2020 on the basis of such offences has been registered.

4. It is submitted by the counsel for the petitioner that the petitioner herein is innocent and is falsely implicated in this case due to some previous dispute with the victim girl. He further submits that there was love relationship between between both of them and due to that the victim girl had made physical relation with the complainant without her will. Subsequently, the family of the victim girl denied the marriage with the applicant and then she lodged the false and fabricated complaint against the petitioner. He further submits that the petitioner herein is in custody since 22.08.2024, charge-sheet has already been filed and trial will take some time, therefore, on these grounds the petitioner may be granted the benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the submission made by the counsels and further considering the fact that the FIR has been lodged after one month from the date of incident and further considering the age of the victim girl, I am of the view that in this case the present applicant should be granted the benefit of bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with Bajpatti P.S. Case No. 264 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties, to the like amount each to the satisfaction of the learned Sub-



Divisional Judicial Magistrate, Pupri, Sitamarhi.

(Arvind Singh Chandel , J)

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